ORIGINES ECCLESIASTICÆ.

THE ANTIQUITIES

OF

THE CHRISTIAN CHURCH.

BY JOSEPH BINGHAM.

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BOOK XIV.

OF THAT PART OF DIVINE SERVICE WHICH THE ANCIENTS COMPRISED UNDER THE GENERAL NAME OF MISSA CATECHUMENORUM, THE SERVICE OF THE CATECHUMENS, OR ANTE-COMMUNION SERVICE.

CHAPTER I.

OF THE PSALMODY OF THE ANCIENT CHURCH.

Sect. 1. That the service of the ancient church usually began with psalmody.

It has been observed before, that the ancients comprised their whole service under two general heads, to which they gave the distinguishing names of *missa catechumenorum*, and *missa fidelium*, the service of the catechumens, and the service of communicants or believers; that is, as we would now term them, the ante-communion service, and the communion service. The service of the catechumens was that part of Divine worship, at which the catechumens, and all others who were not perfect and full communicants, were allowed to be present; and it consisted of psalmody, reading the Scriptures, preaching, and prayers for such particular orders of men, as were not admitted to participate of the holy mysteries: and under these several heads we must now consider it.

The service usually began with reading or singing of psalms, as appears from that of St. Jerom,[1] describing the service of the Egyptian monks: They meet at nine o'clock, and then the psalms are sung, and the Scriptures are read, and after prayers they all sit down, and the father preaches a sermon to them. And so Cassian represents it,[2] that first the psalms were sung, and then followed two lessons, one out of the Old Testament, and the other out of the New. Only on the Lord's day, and the fifty days of Pentecost, and the sabbath, or Saturday, they read one lesson out of the Acts of the Apostles, or the Epistles, and the other out of the Gospels. But, probably, there might be a difference in the order of reading in different churches. And that may reconcile the different opinions of learned men concerning the order of their service. For some think they began with reading the Scriptures, and others, with a prayer of confession. The author of the Constitutions, it is certain, prescribes[3] first the reading of the Old Testament, and then the psalms, and after that the Acts of the Apostles and Epistles, and last of all the Gospels. So that the psalms were intermingled with the lessons according to the rules and prescriptions which that author had observed in some churches. St. Basil[4] speaks of a confession made to God upon their knees, after which they rose up, and betook themselves to sing psalms to God. But that was in their vigils or morning prayers before day, and most probably only a private confession, which every man made silently by himself, before they began the public service. But if we take it for a public confession, as the learned Hamon L'Estrange[5] does, then it will argue, that the Eastern churches began their morning antelucan service with a prayer of confession, and so went on to their psalmody, which was the great exercise and entertainment of their nocturnal vigils. And indeed it was their exercise at all times in the church, as St. Austin[6] notes, to fill up all vacuities, when neither the reading of the Scriptures, nor preaching, nor prayers, interposed to hinder them from it. All other spaces were spent in singing of psalms, than which there could not be any exercise more useful and edifying, or more

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[1] Hieron. Ep. 22. ad Eustoch. cap. 15. Post horam nonam in commune concurritur, psalmi resonant, Scripturæ recitantur ex more. Et completis orationibus, cunctisque residentibus, medius, quem patrem vocant, incipit disputare, &c.

[2] Cassian. Institut. lib. 2. cap. 6. Quibus (psalmis) lectiones geminas adjungentes, id est, unam Veteris et aliam Novi Testamenti, &c. In die vero sabbati vel Dominico utrasque de Novo recitant Testamento, id est, unam de Apostolo, vel Actibus Apostolorum, et aliam de Evangeliis. Quod etiam totis quinquagesimæ diebus faciunt.

[3] Constit. lib. 2. cap. 57. lib. 5. cap. 19.

[4] Basil. Ep. 63. ad Neocæsar. t. 3. p. 96.

[5] L'Estrange, Alliance of Div. Offic. cap. 3. p. 75.

[6] Aug. Ep. 119. ad Januar. cap. 18. Quando non est tempus, cum in ecclesia fratres congregantur, sancta cantandi, nisi cum legitur, aut disputatur, aut antistites clara voce deprecantur, aut communis oratio voce diaconi indicitur?

holy and pious, in his opinion. And upon this account, (if the observation of L'Estrange be rightly made out[7] of Chrysostom,) the people were used to entertain the time with singing of psalms, before the congregation was complete and fully assembled. I take no notice here of their psalmody at other times, at their meals, at their labours, and in their private devotions: because, though this is frequently mentioned by the ancients with great and large encomiums, yet it differed in many respects from the common psalmody, and we can draw little light or argument from that to explain the public service.

Sect. 2. The psalms intermixed with lessons and prayers in some churches.

As to the public psalmody of the church, though we take it for the first and leading part of the service, yet we are not so to understand it, as if it was all performed at once in one continued course of repeating many psalms together without intermission, but rather with some respite, and a mixture of other parts of Divine service, to make the whole more agreeable and delightful. At least, it was apparently so in the practice of some churches. For the council of Laodicea made a decree,[8] That the psalms should not be sung one immediately after another, but that a lesson should come between every psalm. And St. Austin plainly intimates, that this was the practice of his own church. For in one of his homilies[9] he takes notice first of the reading of the Epistle, then of singing the 95th Psalm, "O come, let us worship, and fall down, and kneel before the Lord our Maker," and after that of a lesson read out of the Gospel. And in another homily[10] he speaks of them in the same order. In the lesson out of the Epistle, says he, thanks are given to God for the faith of the Gentiles. In the psalm we said, "Turn us again, thou Lord God of hosts, show the light of thy countenance, and we shall be whole." In the Gospel we were called to the Lord's supper. By comparing these two places of St. Austin together, we may observe, that it was not any particular psalm that was appropriated to come between the Epistle and Gospel, but the psalm that was in the ordinary course of reading. For the 95th is mentioned in one place, and the 80th Psalm in the other. Mabillon has observed the same practice in the French churches, out of the collation between the catholics and Arians in the reign of Gundobadus, king of Burgundy, anno 499. For in the relation of that conference[11] it is said, That on the vigil before the day of disputation, in celebrating the Divine offices, it happened that the first lesson, that was out of the Pentateuch, had those words, "I will harden Pharaoh's heart," &c. After which the psalms were sung, and then another lesson was read out of Isaiah, in which were these words, "Go and tell this people, Hearing ye shall hear, and shall not understand." After the psalms were sung again, another lesson was read out of the Gospel, wherein were those words of our Saviour upbraiding the Jews with their infidelity, "Woe unto thee, Chorazin," &c. And last of all the Epistle was read, containing those words, "Despisest thou the riches of his goodness," &c.: where it is easy to observe, that as there were four lessons read out of the Old and New Testament, so there were psalms sung between each lesson, except the last, which is not mentioned.

Sect. 3. Which psalms were called by a peculiar name, *psalmi responsorii*.

These psalms were styled by a peculiar name, *responsoria*, and *psalmi responsorii*, the responsories; which was not a name affixed to any particular psalms, but was given to all such as happened to fall in here, in the common course of reading. The fourth council of Toledo is to be understood of such psalms, when it speaks of responsories,[12] blaming some for neglecting to use the *Gloria Patri* after them. And Gregory Turonensis[13] often mentions them more expressly under the name of *psalmi responsorii*, making it a part of the deacon's office to repeat them. The ancient ritualists are not agreed about the reason of the name, why they were called *responsoria*; some saying[14] they were so called, because one singing, the whole quire did answer them; whilst others[15] say, they had their name because they answered to the lessons, being sung immediately after them. Which seems to be the more likely reason.

Sect. 4. Some psalms appropriated to particular services.

But we are not to imagine, that these were the only psalms which the ancients used in their psalmody. For

[7] L'Estrange, Alliance of Div. Offic. cap. 3. p. 77.

[8] Conc. Laodic. can. 17.

[9] Aug. Serm. 10. de Verbis Apostoli, p. 112. Hoc de apostolica lectione percepimus. Deinde cantavimus psalmum, exhortantes nos invicem una voce, una corde dicentes, Venite adoremus, &c. Posthæc evangelica lectio decem leprosos mundatos nobis ostendit.

[10] Aug. Hom. 33. de Verb. Domini, p. 49. In lectione apostolica gratiæ aguntur Deo de fide gentium. In psalmo diximus. Deus virtutum converte nos, &c. In evangelio ad cœnam vocati sumus, &c.

[11] Collat. &c. ap. Mabillon, de Cursu Gallicano, p. 399. Evenit autem ut ea nocte, cum lector secundum morem inciperet lectionem a Moyse, incidit in ea verba Domini, Sed ego indurabo cor ejus, &c. Deinde cum post psalmos decantatos recitaret ex prophetis, occurrerunt verba Domini ad Esaiam dicentis, Vade et dices populo huic, Audite audientes, &c. Cumque adhuc psalmi fuissent decantati, et legeret ex Evangelio; incidit in verba, quibus Salvator exprobrat Judæis incredulitatem, Væ tibi, Chorazin, &c. Denique cum lectio fieret ex Apostolo, &c.

[12] Conc. Tolet. 4. can. 15. Sunt quidam qui in fine responsoriorum, Gloria non dicunt, &c.

[13] Greg. Turon. de Vitis Patrum, cap. 8. Diaconus responsorium psalmum canere cœpit. It. Hist. Francor. lib. 8. cap. 3. Jubet rex ut diaconum nostrum, qui ante diem ad missas psalmum responsorium dixerat, canere juberem.

[14] Isidor. de Offic. lib. 1. cap. 8.

[15] Rupert. de Offic. lib. 1. cap. 15.

some psalms were of constant use in the church, as being appropriated to particular services. We have seen[16] before, that the 63rd Psalm, "O God, my God, early will I seek thee," was peculiarly styled the morning psalm, because it was always sung at morning service, as the 95th Psalm is now in our liturgy. And the 141st Psalm, "Let my prayer be set forth in thy sight as the incense, and let the lifting up of my hands be an evening sacrifice," was always sung[17] at evening service. They had also some proper psalms adapted to the nature of their communion service, and their funeral offices, as we shall see hereafter. And in the French church, from the time that Musæus, presbyter of Marseilles, composed his Lectionarium, or order of reading the psalms and lessons, at the instance of Venerius his bishop, the responsory psalms were all adapted to their proper times and lessons, as Gennadius[18] informs us. And this, some learned men[19] think, was at first peculiar to the Gallican office, and a singular usage of the French church. Which may be true as to the appropriating of several psalms to their proper lessons in the general course of the year; but it cannot be true, if it be meant only of particular and solemn occasions. For the church had not only proper lessons, but proper psalms read upon greater festivals, suitable to the occasion; and that long before the time of Musæus's composing his Calendar for the Gallican church. For St. Austin[20] plainly informs us, that the 22nd Psalm, "My God, my God, why hast thou forsaken me," &c., was always read upon the day of our Saviour's passion in the African church; and he seems to intimate that the Donatists did the same, though they were so stony-hearted as not to make a just application of it. And there is little question to be made, but that as they had proper psalms for this occasion, so they had for all the other solemn festivals.

Sect. 5. Others sung in the ordinary course as they lay, without being appropriated to any time or day.

The other psalms were sung in the ordinary course of reading from end to end, in the same order as they lay in the book, without being appropriated to any times, or lessons, or days, except those particular psalms, which were appointed as proper for each canonical hour. Cassian observes,[21] That in Egypt, at the first beginning of the monastic life, there were almost as many types, rules, or orders about this matter, as there were monasteries, some singing eighteen psalms immediately one after another, others twenty, and some more. But at last, by common consent, the number for morning and evening service was reduced to twelve, which were read in one continued course,[22] without any lessons coming between them; for they had only two lessons, one out of the Old Testament, and the other out of the New, and those read only when all the psalms were ended. He tells us also, that in some places they sung six psalms[23] every canonical hour, and some proportioned the number of psalms to the number of the hour at which they met at their devotions: so that at the third hour they had only three psalms, but six at the sixth, and nine at the ninth hour; till upon more mature deliberation they came at last to this resolution, to have only three psalms at every diurnal hour of prayer,[24] reserving the greater number of twelve for the more solemn assemblies at morning and evening prayer. Though the custom of conforming the number of psalms to the number of hours continued in use in some parts of France, or else was taken up in the time of the second council of Tours, anno 567, as appears from a singular canon of that council,[25] which I have recited at large before in the last Book.[26]

Sect. 6. And some appointed occasionally at the discretion of the bishop or precentor.

Besides these, it was usual for the bishop or precentor to appoint any psalm to be sung occasionally in any part of the service at discretion: as now our anthems in cathedrals are left to the choice of the precentor, and the psalms in metre to the discretion of the minister, to choose and appoint what psalms he pleases, and what times he thinks most proper in Divine service. Thus Athanasius tells us he appointed his deacon to sing an occasional psalm[27] when his church was beset with the Arian soldiers. And St. Austin[28] sometimes speaks of a particular psalm, which he ordered the reader to repeat, intending himself to preach upon it: and it once happened, that the reader, mistaking one of these psalms, read another in its stead; which put St. Austin upon an extempore discourse upon the

[16] Book XIII. chap. 10. sect. 1.

[17] See Book XIII. chap. 11. sect. 2.

[18] Gennad. de Scriptor. cap. 79. Responsoria etiam psalmorum capitula tempori et lectionibus congruentia excerpsit.

[19] Stillingfleet, Orig. Britan. chap. 4. p. 218.

[20] Aug. in Psal. xxi. in Præf. Serm. 2. p. 43.

[21] Cassian. Instit. lib. 2. cap. 2.

[22] Cassian. ibid. cap. 4. Per universam Ægyptum et Thebaidem duodenarius psalmorum numerus tam vespertinis quam nocturnis solennitatibus custoditur, ita duntaxat ut post hunc numerum duæ lectiones, Veteris scilicet ac Novi Testamenti, singulæ subsequantur.

[23] Ibid. cap. 2. Sunt quibus in ipsis quoque diurnis orationum officiis, id est, tertia, sexta, nonaque id visum est, ut secundum horarum modum, in quibus hæc Domino redduntur obsequia, psalmorum etiam et orationum putarent numerum coæquandum: nonnullis placuit senarium numerum singulis diei conventibus deputari.

[24] Cassian. lib. 3. cap. 3.

[25] Conc. Turon. 2. can. 19.

[26] Book XIII. chap. 9. sect. 9.

[27] Athan. Apol. 2. 717.

[28] Aug. in Psal. cxxxviii. p. 650. Psalmum nobis brevem paraveramus, quem mandaveramus cantari a lectore: sed ad horam, quantum videtur, perturbatus, alterum pro altero legit. Malumus nos in errore lectoris sequi voluntatem Dei, quam nostram in nostro proposito. Vid. Aug. Præfat. in Psal. xxxi.

psalm that was read by mistake to the people. And when we consider that they sometimes spent whole days and nights almost in psalmody; as when St. Ambrose's church was beset with the Arian soldiers, the people within continued the whole night and day[29] in singing of psalms; it will easily be imagined, that at such times they did not sing appropriated psalms, but entertained themselves with such as the bishop then occasionally appointed, or left them at large to their own choice, to sing at liberty and discretion. Sometimes the reader himself pitched upon a psalm, as the necessity of affairs would allow him, or his own discretion direct him. Thus St. Austin tells us, in one of his homilies,[30] That he had preached upon a psalm, not which he appointed the reader to sing, but what God put into his heart to read, which determined his sermon to the subject of repentance, being the 51st, or penitential psalm, which the reader sung of his own accord, or rather, as St. Austin words it, by God's direction. Sulpicius Severus tells a remarkable story to the same purpose, in the Life of St. Martin.[31] He says, When St. Martin was to be elected bishop, one, whose name was Defensor, among the bishops, was a great stickler against him. Now, it happened that, in the tumult, the reader, whose course it was to sing the psalm that day, could not come at his place in due time, and therefore another read the first psalm that he lighted upon when he opened the book, which happened to be the 8th Psalm, wherein were those words, "Out of the mouths of babes and sucklings thou hast perfected praise, because of thine enemies, that thou mightest destroy the enemy and defensor," as the Gallican Version then read it, *Ut destruas inimicum et defensorem.* And this, though it seemingly were but a chance thing, was looked upon as providential by the people, to overthrow the machinations of Defensor.

Sect. 7. Prayers in some places between every psalm, instead of a lesson.

In some places, instead of lessons between every psalm, they allowed a short space for private prayer to be made in silence, and a short collect by the minister, which, Cassian[32] says, was the ordinary custom of the Egyptian fathers. For they reckoned, that frequent short prayers were more useful[33] than long continued ones, both to solicit God more earnestly by frequent addresses, and to avoid the temptations of Satan, drawing them into lassitude and weariness, which was prevented by their succinct brevity. And therefore they divided the longer psalms into two or three parts,[34] interposing prayers between every distinction.

Sect. 8. The *Gloria Patri* added at the end of every psalm in the Western, but not in the Eastern churches.

In all the Western churches, except the Roman, it was customary also, at the end of every psalm, for the congregation to stand, and say, "Glory be to the Father, and to the Son, and to the Holy Ghost:" but in the Eastern churches it was otherwise; for, as I have noted before[35] out of Cassian,[36] in all the East they never used this glorification, but only at the end of the last psalm, which they called their antiphona or hallelujah, which was one of those psalms which had hallelujah prefixed to it, and which they repeated by way of antiphona, or responsal, and then added, "Glory be to the Father, and to the Son, and to the Holy Ghost." But in the Western churches, he says, it was used at the end of every psalm. And so we are to understand those canons[37] of the council of Toledo, which order, "Glory and honour be to the Father, and Son, and Holy Ghost," to be said at the end of the psalms and responsories: but the Decretal of Vigilius,[38] which orders the same at the end of the psalms, must be taken according to the custom of the Roman church, to be used only at the conclusion of all. Other differences relating to the use of this doxology, and its original, shall be considered in the next chapter in their proper place.

Sect. 9. The psalms sometimes sung by one person only.

As to the persons concerned in this service of singing the psalms publicly in the church, we may consider them in four different respects, according to the different ways of psalmody. 1. Sometimes the psalms were sung by one person alone, the rest hearing only with attention. 2. Sometimes they were sung by the whole assembly joining all together. 3. Sometimes alternately by the congregation divided into distinct quires, the one part repeating one verse, and the other another. 4. Sometimes one person repeated the first part of the verse, and the rest joined all together in the close of it. The first of these ways, Cassian notes as the common custom of the Egyptian monasteries. For he says, Except him[39] who rose up to sing, all the rest sat by on low seats in

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[29] Ambros. Epist. 33. ad Marcellinam Sororem.

[30] Aug. Hom. 27. ex 50. t. 10. p. 175. Proinde aliquid de pœnitentia dicere divinitus jubemur. Neque enim nos istum psalmum cantandum lectori imperavimus: sed quod ille censuit vobis esse utile ad audiendum, hoc cordi etiam puerili imperavit.

[31] Sulpit. Vit. Martin. cap. 7. p. 225.

[32] Cassian. Instit. lib. 2. cap. 5. Undecim psalmos orationum interjectione distinctos, &c.

[33] Ibid. cap. 10. Utilius censent breves quidem orationes, sed creberrimas fieri, &c.

[34] Ibid. cap. 11. Et idcirco ne psalmos quidem ipsos, quos in congregatione decantant, continuata student pronunciatione concludere: sed eos pro numero versuum duabus vel tribus intercessionibus, cum orationum interjectione divisos, distinctim particulatimque consummant, &c.

[35] Book XIII. chap. 10. sect. xiv.

[36] Cassian. Instit. lib. 2. cap. 8. Strabo de Reb. Eccles. cap. 25.

[37] Conc. Tolet. 4. can. 14 et 15.

[38] Vigil. Ep. 2. ad Eutherium, cap. 2. In fine psalmorum ab omnibus catholicis ex more dicatur, Gloria Patri, et Filio, et Spiritui Sancto.

[39] Cassian. Instit. lib. 2. cap. 12. Absque eo qui dicturus

silence, giving attention to him that sang. And though sometimes four sang the twelve psalms in one assembly, yet they did it not all together, but in course one after another,[40] each singing three psalms, and the rest keeping silence till the last psalm, which they all sang by way of antiphona or alternate song, adding the *Gloria Patri* in the close.

Sect. 10. Sometimes by the whole assembly joining all together.

Sometimes, again, the whole assembly joined together, men, women, and children, united with one mouth and one mind in singing psalms and praises to God. This was the most ancient and general practice, till the way of alternate psalmody was brought into the church. Thus Christ and his apostles sung the hymn at the last supper, and thus Paul and Silas at midnight sung praises unto God. Bellarmine,[41] indeed, and some other writers of the Romish church, say, this custom was not in use till the time of St. Ambrose; but they plainly mistake the introduction of the alternate way of singing psalms for this more ancient way, which derives its original from the foundation of the church. Thus St. Hilary, who lived before St. Ambrose, takes notice,[42] that the people all prayed, and all sang hymns together. And St. Chrysostom, comparing the apostolical times with his own, says,[43] Anciently they all met together, and all sang in common. And so do we at this day. And again,[44] Women and men, old men and children, differ in sex and age, but they differ not in the harmony of singing hymns; for the Spirit tempers all their voices together, making one melody of them all. After the same manner St. Austin sometimes[45] speaks of singing the psalms between the lessons with united voices, though before his time the way of alternate psalmody was become very common in all parts of the church.

Sect. 11. Sometimes alternately, by the congregation divided into two parts.

This way of singing the psalms alternately was, when the congregation, dividing themselves into two parts, repeated the psalms by courses, verse for verse one after another, and not, as formerly, all together. As the other, for its common conjunction of voices, was properly called symphony; so this, for its division into two parts, and alternate answers, was commonly called antiphony, and sometimes *responsoria*, the singing by responsals. This is plain from that noted Iambic[46] of Gregory Nazianzen, *σύμφωνον, ἀντίφωνον ἀγγέλων στάσιν*, where the symphony denotes their singing alternately verse for verse by turns. Socrates[47] calls it *ἀντίφωνον ὑμνῳδίαν*, the antiphonal hymnody; and St. Ambrose,[48] *responsoria*, singing by way of responsals. For, comparing the church to the sea, he says, From the responsories of the psalms, and singing of men, women, virgins, and children, there results an harmonious noise, like the waves of the sea. He expressly mentions women in other places,[49] as allowed to sing in public, though otherwise the apostle had commanded them to keep silence in the church. St. Austin also frequently mentions[50] this way of singing by parts, or alternately by responses; and he carries the original of it in the Western church no higher than the time of St. Ambrose, when he was under the persecution of the Arian empress Justina, mother of the younger Valentinian; at which time both he[51] and Paulinus, who writes[52] the Life of St. Ambrose, tell us the way of antiphonal singing was first brought into the church of Milan, in imitation of the custom of the Eastern churches; and that from this example it presently spread all over the Western churches. What was the first original of it in the Eastern church, is not so certainly agreed upon by writers either ancient or modern. Theodoret says[53] that Flavian and Diodorus first brought in the way of singing David's Psalms alternately into the church of Antioch, in the reign of Constantius. But Socrates[54] carries the original of this way of singing hymns to the holy Trinity as high as Ignatius. Valesius thinks Socrates was mistaken: but Cardinal Bona[55] and Pagi[56] think both accounts may be true, taking the one to speak of David's Psalms only, and the other of hymns composed for the service of the church. Some say the custom was first

in medium psalmos surrexerit, cuncti sedilibus humillimis insidentes, ad vocem psallentis omni cordis intentione dependent.

[40] Ibid. cap. 5 et 8.

[41] Bellarm. de Bonis Operibus, lib. 1. cap. 16. t. 4. p. 1077.

[42] Hilar. in Psal. lxv. p. 332. Audiat orantis populi consistens quis extra ecclesiam vocem, spectet celebres hymnorum sonitus.

[43] Chrys. Hom. 36. in 1 Cor. p. 653. Ἐπέψαλον πάντες κοινῇ.

[44] Chrys. in Psal. cxlv. p. 82½.

[45] Aug. de Verb. Apost. Serm. 10. p. 112. Cantavimus psalmum exhortantes nos invicem una voce, uno corde, dicentes, Venite adoremus, &c.

[46] Naz. Carm. 18. de Virtute, inter Iambica, t. 2. p. 218.

[47] Socrat. lib. 6. cap. 8.

[48] Ambros. Hexamer. lib. 3. cap. 5. Responsoriis psalmorum, cantu virorum, mulierum, virginum, parvulorum, consonans undarum fragor resultat.

[49] Ambros. Expos. Psal. i. Mulieres apostolus in ecclesia tacere jubet: psalmum etiam bene clamant, &c.

[50] Aug. Serm. in Psal. xxvi. in Præfat. Voces istæ psalmi, quas audivimus, et ex parte cantavimus. Item in Psal. xlvi. In hoc psalmo, quem cantatum audivimus, cui cantando respondimus, ea sumus dicturi quæ nostis.

[51] Aug. Confess. lib. 9. cap. 7. Tunc hymni et psalmi ut canerentur secundum morem Orientalium partium, ne populus mæroris tædio contabesceret, institutum est: et ex illo in hodiernum retentum, multis jam ac pæne omnibus gregibus tuis et per ceteras orbis partes imitantibus.

[52] Paulin. Vit. Ambros. p. 4. Hoc in tempore primo antiphonæ hymni et vigiliæ in ecclesia Mediolanensi celebrari cæperunt, &c.

[53] Theod. lib. 2. cap. 24.

[54] Socrat. lib. 6. cap. 8.

[55] Bona de Psalmod. cap. 16. sect. 10. n. 1.

[56] Pagi, Critic. in Baron. an. 400. n. 10.

begun by Ignatius, but destroyed by Paulus Samosatensis, and revived again by Flavian. But Pagi's conjecture seems most reasonable, that Flavian only introduced this way of singing the psalms in the Greek tongue at Antioch, whereas it had been used in the Syrian language long before, as he shows out of Theodorus of Mopsuestia, and Valesius himself confirms this out of the same author, whose testimony is preserved by Nicetas.[57] However this matter be as to the first original of this way of antiphonal psalmody, it is certain, that from the time that Flavian either instituted or revived it at Antioch, it prevailed in a short time to become the general practice of the whole church. St. Chrysostom[58] encouraged it in the vigils at Constantinople, in opposition to the Arians. St. Basil[59] speaks of it in his time, as the received custom of all the East. And we have seen before, how from the time of St. Ambrose it prevailed over all the West. And it was a method of singing so taking and delightful, that they sometimes used it where two or three were met together for private devotion; as Socrates[60] particularly remarks of the emperor Theodosius junior and his sisters, that they were used to sing alternate hymns together every morning in the royal palace.

Sect. 12. Sometimes by a single precentor repeating the first part of the verse, and the people all joining with him in the close. Where also of diapsalms, and acroteleutics, and acrostics in psalmody.

Besides all these, there was yet a fourth way of singing, of pretty common use in the fourth age of the church: which was, when a single person (whom that age called a *phonascus*, ὑποβολεὺς, or precentor[61]) began the verse, and the people joined with him in the close. This the Greeks called ὑπηχεῖν, and ὑπακούειν, and the Latins, *succinere*. And it was often used for variety in the same service with alternate psalmody. Thus St. Basil, describing the different manners of their morning psalmody, tells us, They one while divided themselves into two parts, and sung alternately, answering to one another; and then again, let one begin the psalm, and the rest joined with him[62] in the close of the verse. This was certainly in use at Alexandria in the time of Athanasius, as I have observed in the last Book.[63] For both he himself,[64] and all the historians[65] who relate the story after him, in speaking of his escape out of the church, when it was beset with the Arian soldiers, tell us he avoided the assault by setting the people to psalmody, which psalmody was of this kind: for he commanded the deacon to read the psalm, and the people ὑπακούειν, to repeat this clause after him, "For his mercy endureth for ever." The common translations of Athanasius make this ὑπακούειν to signify no more than the people's attending to what the deacon read; but Epiphanius Scholasticus, the ancient author of the Historia Tripartita, having occasion to relate this very passage[66] of Athanasius, rightly renders ὑπακούειν by *respondere*. The deacon read, and the people answered in these words, "For his mercy endureth for ever." Valesius[67] thinks it should be read ὑπηχεῖν, instead of ὑπακούειν, in all those places of Athanasius, and the historians after him: but there is no need of that critical correction; for both the words among the Greeks are of the same import, and signify to make answer or responses, as Cotelerius, a judicious critic, has[68] observed. And so the word ὑπακούειν is used both by Theocritus[69] and Homer. So that there is no reason to dispute the use of it in this sense in ecclesiastical writers. St. Chrysostom uses the word ὑπηχεῖν,[70] when he speaks of this practice: The singer sings alone, and all the rest answer him in the close, as it were with one mouth and one voice. And elsewhere he says[71] the priests began the psalm, and the people followed after in their responses. Sometimes this way of psalmody was called singing acrostics. For though an acrostic commonly signifies the beginning of a verse, yet sometimes it is taken for the end or close of it. As by the author of the Constitutions,[72] when he orders one to sing the hymns of David, and the people to sing after him the acrostics or ends of the verses. This was otherwise called *hypopsalma* and *diapsalma*, and ἀκροτελεύτιον and ἐφύμνιον, which are all words of the same signification. Only we must observe, that they do not always denote precisely the end of a verse, but sometimes that which was added at the end of a psalm, or something that was repeated frequently in the middle of it, as the close of the several parts of it. Thus St. Austin composed a psalm for the common people to

57 Nicet. Thesaur. Orthod. Fid. lib. 5. cap. 30.

58 Socrat. lib. 6. cap. 8. 59 Basil. Ep. 63. ad Neocæsar.

60 Socrat. lib. 7. cap. 22.

61 See Book III. chap. 7. sect. 3. and Sidon. Apollin. lib. 4. Ep. 11. Psalmorum hic modulator et phonascus.

62 Basil. Ep. 63. ad Neocæsar. Νῦν μὲν διχῇ διανεμηθέντες, ἀντι ψάλλουσιν ἀλλήλοις· ἔπειτα πάλιν ἐπιτρέψαντες ἑνὶ κατάρχειν τοῦ μέλους, οἱ λοιποὶ ὑπηχοῦσι.

63 Book XIII. chap. 5. sect. 6.

64 Athanas. Apol. 2. p. 717.

65 Theodor. lib. 2. cap. 13. Socrat. lib. 2. cap. 11. Sozom. lib. 3. cap. 6.

66 Hist. Tripart. lib. 5. cap. 2. Præcepi ut diaconus psalmum legeret, populi responderent, &c

67 Vales. Not. in Theod. lib. 2. cap. 13.

68 Coteler. Not. in Constit. Apost. lib. 2. cap. 57. p. 262.

69 Theocrit. Idyl. 14. de Hyla. Τρὶς δ' ἄρ' ὁ παῖς ὑπάκουσεν. Ter puer respondit. Vid. Homer. Odyss. 4. et Stephani Lexicon.

70 Chrys. Hom. 36. in 1 Cor. p. 655. Ὁ ψάλλων ψάλλει μόνος, κᾂν πάντες ἀπηχῶσιν (leg. ὑπηχῶσιν) ὡς ἐξ ἑνὸς στόματος ἡ φωνὴ φέρεται. Vid. Hom. 11. in Mat. p. 108. Ὑπηχήσαντες, &c.

71 Chrys. in Psal. cxxxvii. p. 518. Μετὰ τῶν ἱερέων καταρχομένων, προηγουμένων ἕψομαι, καὶ ἀκολουθήσω, καὶ ἄσω σοι, &c.

72 Constit. lib. 2. cap. 57. Ὁ λαὸς τὰ ἀκροστίχια ὑποψαλλέτω

learn against the Donatists, and in imitation of the 119th Psalm, he divided it into so many parts, according to the order of the letters in the alphabet, (whence such psalms were called *abecedarii,)* each part having its proper letter at the head of it, and the *hypopsalma* (as he calls it[73]) or answer, to be repeated at the end of every part of it, in these words, *Omnes qui gaudetis de pace, modo verum judicate;* as the *Gloria Patri* is now repeated not only at the end of every psalm, but at the end of every part of the 119th Psalm. And in this respect the *Gloria Patri* itself is by some ancient writers called the *hypopsalma*, or epode, and acroteleutic to the psalms, because it was always used at the end of the psalms. Thus Sozomen, giving an account of the Arians' management of their psalmody at Constantinople in their morning processions, says, They divided themselves into parts, and sung after the manner of antiphona, or alternate song, adding in the close their acroteleutics,[74] framed and modelled after their own way of glorification. Where, as Valesius rightly observes, it is plain, acroteleutic is but another name for the *Gloria Patri*, which they added at the end of the psalms, but perversely modelled to favour their own heresy; not saying, "Glory be to the Father, and the Son, and the Holy Ghost;" but "Glory be to the Father, by the Son, and in the Holy Ghost." Again, Sozomen, speaking of the psalmody with which the Christians brought the body of the martyr Babylas from Daphne to Antioch in the time of Julian, says, They who were best skilled began the psalms, and the multitude answered them with one harmonious consent, making these words the epode of[75] their psalmody, "Confounded be all they that worship graven images, and boast themselves in images, or idol-gods." Meaning that this sentence was frequently repeated in the several pauses of their psalmody; which the ancients, we see, sometimes called an epode or *diapsalm*, like that of the 107th Psalm, "Oh that men would therefore praise the Lord for his goodness, and declare the wonders that he doth for the children of men!" which in the distinct parts of that one psalm is four times repeated.

Sect. 13. An answer to an objection made against the people's bearing a part in psalmody.

From all this, it is as clear as the sun at noon-day, that the people generally had a share in the psalmody of the ancient church; and that this was not an exercise strictly confined to the canonical singers, or any particular order in the church; but that men, women, and children were all allowed to bear a part in it, under the direction and conduct of precentors, or those who presided in this and all other offices of the church. Therefore the reflection which I have formerly made upon Cabassutius,[76] I cannot choose but here again repeat, who charges this way of singing as a mere novelty and protestant whim, because it differs from the present practice of his own church; though it be exactly agreeable to the practice of the ancient church in all its several methods, and in all ages since the apostles. Neither is there any one thing can be objected against it, save a single canon of the council of Laodicea,[77] which forbids all others to sing in the church, except only the canonical singers, who went up into the *ambo* or reading-desk, and sung out of a book. This I have explained to be only a temporary provision of a provincial council, designed to restore or revive the ancient psalmody, when it might be in some measure corrupted or neglected, and not intended to abridge or destroy the primitive liberty of the people. Or if any thing more was intended by it, it was an order that never took place in the practice of the church: it being evident, beyond all contradiction, from what has now been said, that the people always enjoyed their ancient privilege of joining in this Divine harmony, and were encouraged in it by the greatest luminaries of the church.

Sect. 14. Psalmody always performed in the standing posture.

To proceed, then: we are to consider further, that psalmody was always esteemed a considerable part of devotion, and upon that account was usually, if not always, performed by those that were engaged in it, in the standing posture. Cassian indeed seems to make an exception in the way of the monasteries of Egypt: but his exception helps to clear the contrary rule, and shows also that their devotion was in the main performed in the standing posture. For he says, though by reason of their continual fastings and labour night and day, they were unable to stand all the time, while twelve psalms were reading, yet they that read in course, always stood[78] up to read: and at the last psalm, they all stood up[79] and repeated it alternately, adding the *Gloria Patri* at the end. In other places it was always the custom to stand, as is plain not only from this exception, but from the testimony of St. Austin,[80] who speaks of the psalmody as an act of devotion, which all the people performed standing in the church.

[73] Vid. Aug. Psalmum contra partem Donati, t. 7. p. 1. Et Retract. lib. 1. cap. 20.

[74] Sozom. lib. 8. cap. 8. *Κατὰ τὸν τῶν ἀντιφώνων τρόπον ἔψαλλον, ἀκροτελεύτια συντιθέντες πρὸς τὴν αὐτῶν δόξαν πεποιημένα.*

[75] Sozom. lib. 5. cap. 19. *Ξυνεπήχει τὸ πλῆθος ἐν συμφωνίᾳ. καὶ ταύτην τὴν ῥῆσιν ἐπῇδεν, κ. τ. λ.*

[76] Book III. chap. 7. sect. 2.

[77] Conc. Laodic. can. 15.

[78] Cassian. Instit. lib. 2. cap. 12. Absque eo qui dicturus in medium psalmos surrexerit, cuncti sedilibus humillimis insidentes, &c.

[79] Cassian. ibid. cap. 8.

[80] Aug. Serm. 3. in Psal. xxxvi. p. 122. Certe verum est quod cantavi, certe verum est quod in ecclesia stans tam devota voce personui, &c.

Sect. 15. Of the use of plain song, and its commendation among the ancients.

As to the voice or pronunciation used in singing, it was of two sorts, the plain song, and the more artificial and elaborate tuning of the voice to greater variety of sounds and measures. The plain song was only with a little gentle inflection, and agreeable turn of the voice, with a proper accent, not much different from reading, and much resembling the musical way of reading the psalms now in our cathedral churches. This was the way of singing at Alexandria in the time of Athanasius. For St. Austin says,[81] he ordered the reader to sing the psalm with so little inflection or variation of the tone, that it looked more like reading than singing. And this St. Austin[82] seems to intimate to have been the common way of the African churches, as most agreeable to the slow genius of the African people. Whence some of the warmer Donatists made it a matter of objection, that the catholics sung the Divine hymns of the prophets soberly in the church, whilst they sung their own psalms of human composition in a ranting way, and even trumpeted out, like men that were drunk, their own exhortations. St. Austin does not speak this, as if he wholly disapproved the other more artificial and melodious way of singing, but only as it was intemperately abused by many, and particularly by the Donatists. For otherwise he commends this way of singing, as very useful to raise the affections, when performed with a clear voice,[83] and a convenient sweetness of melody: and says, it was that that melted him into tears, when he first heard it in the beginning of his conversion, in the church of St. Ambrose.

Sect. 16. Artificial and melodious tuning of the voice allowed in singing, when managed with sobriety and discretion.

This plainly implies, that the artificial and melodious way of singing, with variety of notes for greater sweetness, was used and allowed, as well as plain song, in the Italic churches: and they mistake St. Austin, who think he speaks in commendation of the one, to the derogation of the other. For he professes to admire both ways for their usefulness, and particularly the more melodious way, for this, *ut per oblectamenta aurium infirmior animus in affectum pietatis assurgat*, that weaker minds may be raised to affections of piety, by the delight and entertainment of their ears. And whilst it kept within due bounds, there is nothing plainer than that it had the general approbation of pious men throughout the church.

Sect. 17. No objection made against psalms and hymns of human composition, barely as such.

Neither was it any objection against the psalmody of the church, that she sometimes made use of psalms and hymns of human composition, besides those of the sacred and inspired writers. For though St. Austin, as we have just heard before, reflect upon the Donatists for their psalms of human composition, yet it was not merely because they were human, but because they preferred them to the divine hymns of Scripture, and their indecent way of chanting them to the grave and sober method of the church. St. Austin himself made a psalm of many parts, in imitation of the 119th Psalm, as has been observed above in this chapter, sect. 12. And this he did for the use of his people, to preserve them from the errors of Donatus. And it would be absurd to think, that he who made a psalm himself for the people to sing, should quarrel with other psalms merely because they were of human composition. It has been demonstrated in the fifth chapter of the last Book, that there were always such psalms, and hymns, and doxologies composed by pious men, and used in the church from the first foundation of it; nor did any but Paulus Samosatensis except against the use of them; which he did not neither because they were of human composition, but because they contained a doctrine contrary to his own private opinions. St. Hilary and St. Ambrose made many such hymns, which when some muttered against in the Spanish churches, because they were of human composition, the fourth council of Toledo[84] made a decree to confirm the use of them, together with the doxology, "Glory be to the Father," &c., and, "Glory be to God on high;" threatening excommunication to any that should reject them. The only thing of weight to be urged against all this, is a canon of the council of Laodicea,[85] which forbids all ἰδιωτικοὺς ψαλμοὺς, all private psalms, and all uncanonical books, to be read in the church. For it might seem, that by private psalms,

[81] Aug. Confes. lib. 10. cap. 33. Tam modico flexu vocis faciebat sonare lectorem psalmi, ut pronuncianti vicinior esset quam canenti.

[82] Aug. Ep. 119. ad Januar. cap. 18. Pleraque in Africa ecclesiæ membra pigriora sunt: ita ut Donatistæ nos reprehendant, quod sobrie psallimus in ecclesia divina cantica prophetarum, cum ipsi ebrietates suas ad canticum psalmorum humano ingenio compositorum, quasi tubas exhortationis inflamment.

[83] Aug. Confes. lib. 10. cap. 33. Veruntamen cum reminiscor lachrymas meas, quas fudi ad cantus ecclesiæ tuæ—— Et nunc ipso commoveor—Cum liquida voce et convenientissima modulatione cantantur, magnam instituti hujus utilitatem agnosco.

[84] Conc. Tolet. 4. can. 12. Quia a nonnullis hymni humano studio compositi esse noscuntur in laudem Dei, et apostolorum ac martyrum triumphos, sicut hi quos beatissimi doctores Hilarius atque Ambrosius ediderunt, quos tamen quidam specialiter reprobant, pro eo quod de Scripturis sanctorum canonum, vel apostolica traditione non existunt: respuant ergo et illum hymnum, quem quotidie publico privatoque officio in fine omnium psalmorum dicimus, Gloria et honor Patri, &c.——Sicut ergo orationes, ita et hymnos in laudem Dei compositos nullus nostrum ulterius improbet, sed pari modo in Gallicia Hispaniaque celebrent, excommunicatione plectendi, qui hymnos rejicere fuerint ausi.

[85] Conc. Laodic. can. 59.

they mean all hymns of human composition. But it was intended rather to exclude apocryphal psalms, such as went under the name of Solomon, as Balzamon and Zonaras understand it; or else such as were not approved by public authority in the church. If it be extended further, it contradicts the current practice of the whole church besides, and cannot, in reason, be construed as any more than a private order for the churches of that province, made upon some particular reasons unknown to us at this day. Notwithstanding, therefore, any argument to be drawn from this canon, it is evident the ancients made no scruple of using psalms or hymns of human composition, provided they were pious and orthodox for the substance, and composed by men of eminence, and received by just authority, and not brought in clandestinely into the church.

Sect. 18. But two corruptions severely inveighed against: First, Over-great niceness and curiosity in singing, in imitation of the modes and music of the theatre.

But there were some disorders and irregularities always apt to creep into this practice, and corrupt the psalmody and devotions of the church: and against these the fathers frequently declaim with many sharp and severe invectives. Chiefly they complain of the lightness and vain curiosity which some used in singing, who took their measures from the mean and practice of the theatres, introducing from thence the corruptions and effeminacy of secular music into the grave and solemn devotions of the church. We have heard St. Chrysostom before[86] complaining of men's using theatrical noise and gestures both in their prayers and hymns. And here I shall add the reflection which St. Jerom makes upon those words of the apostle, Ephes. v., "Singing, and making melody in your hearts to the Lord:" Let young men hear this, let those hear it who have the office of singing in the church, that they sing not with their voice, but with their heart to the Lord; not like tragedians, physically preparing their throat and mouth, that they may sing after the fashion of the theatre in the church. He that has but an ill voice, if he has good works, is a sweet singer before God.

Sect. 19. And, 2dly, Pleasing the ear without raising the affections of the soul.

The other vice complained of was, the regarding more the music of the words, and sweetness of the composure, than the sense and meaning of them; pleasing the ear, without raising the affections of the soul, which was the true reason for which psalmody and music was intended. St. Jerom takes notice of this corruption in the same place,[87] giving this caution against it: Let the servant of Christ so order his singing, that the words that are read may please more than the voice of the singer; that the spirit that was in Saul, may be cast out of them who are possessed with it, and not find admittance in those who have turned the house of God into a stage and theatre of the people. St. Austin[88] confesses he was for some time thus moved to a faulty complacency in the sweetness of the song, more than the matter that was sung, and then he rather wished not to have heard the voice of the singer. St. Isidore of Pelusium brings the charge of these abuses more especially against women, and goes so far as to say, that though the apostle had allowed them to sing in the church, yet the perverse and licentious use they made of this liberty, was a sufficient reason[89] why they should be totally debarred from it. And some are of opinion, that it was abuses of this kind, in excess, and not in defect, that made the council of Laodicea forbid all but the canonical singers to sing in the church; as thinking, that they might be better regulated and restrained from such abuses by the immediate dependence they had upon the rulers of the church. But the experience of later ages rather proves, that this was not the true way to reform such abuses; since there are greater complaints made by considering men, of the excesses committed in church music after it was wholly given up to the management of canonical singers, than there were before. Witness the complaints made by Polydore Virgil,[90] Maldonat,[91] Durantus,[92] and others in the Romish church, and Bishop Wettenhal[93] in the protestant communion, which it is none of my business in this place any further to pursue.

CHAPTER II.

A PARTICULAR ACCOUNT OF SOME OF THE MOST NOTED HYMNS IN USE IN THE SERVICE OF THE ANCIENT CHURCH.

Sect. 1. Of the lesser doxology, "Glory be to the Father," &c.

But there is one thing more may be of use for the better understanding the psalmody of the ancient church, which is, to give a distinct account of the most noted hymns that made a part of her service. Among these, one the most ancient and common, was that which was called the lesser doxology, "Glory be to

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[86] Book XIII. chap. 8. sect. 11.

[87] Hieron. in Ephes. v. Sic cantet servus Christi, ut non vox canentis, sed verba placeant quæ leguntur: ut spiritus qui erat in Saule, ejiciatur ab iis, qui similiter ab eo possidentur, et non introducatur in eos, qui de domo Dei scenam fecere populorum.

[88] Aug. Confess. lib. 10. cap. 33. Cum mihi accidit, ut me amplius cantus, quam res quæ canitur moveat, pœnaliter me peccare confiteor, et tunc mallem non audire cantantem.

[89] Isidor. lib. 1. Ep. 90.

[90] Polyd. Virgil. de Rer. Invent. lib. 6. cap. 2. p. 359

[91] Maldonat. de Septem Sacramentis, t. 2. p. 238.

[92] Durant. de Ritibus, lib. 2. cap. 21. n. 11.

[93] Wettenhal, Gift of Singing, chap. 1. p. 277 and 247.

the Father, and to the Son, and to the Holy Ghost." Concerning which we are to note, in the first place, that it was something shorter than it is now; for the most ancient form of it was only a single sentence without a response, running in these words, "Glory be to the Father, and to the Son, and to the Holy Ghost, world without end. Amen." Part of the latter clause, "as it was in the beginning, is now, and ever shall be," was inserted some time after the first composition. This appears from the most ancient form used both in the Greek and Latin church without those words in it. The fourth council of Toledo, anno 633, reads it thus:[1] "Glory and honour be to the Father, and to the Son, and to the Holy Ghost, world without end. Amen." Where we may observe, that not only the words, "as it was in the beginning," &c., are omitted, but the word honour is added to glory, according[2] to another decree made in that council; that it should not be said, as heretofore some did, "Glory be to the Father," but, "Glory and honour be to the Father;" forasmuch as the prophet David says, "Bring glory and honour to the Lord," Psal. xxviii. 2. And John the evangelist, in the Revelation, heard the voice of the heavenly host, saying, "Honour and glory be to our God, who sitteth on the throne," Rev. v. 13. From whence they conclude, that it ought to be said on earth as it is sung in heaven. The Mosarabic liturgy, which was used in Spain a little after this time, has it in the very same[3] form. "Glory and honour be to the Father, and to the Son, and to the Holy Ghost, world without end. Amen." Which shows, that that was the received way of using this hymn in the Spanish churches. The Greek church also, for several ages, used it after the same manner, only they did not insert the word "honour," which seems to be peculiar to the Spanish church. Athanasius, or whoever was the author of the treatise of Virginity among his works,[4] repeats it thus, "Glory be to the Father, and to the Son, and to the Holy Ghost, world without end. Amen." And Strabo[5] says of the Greeks in general, that they omitted those words in the latter clause, "as it was in the beginning." So that it is not easy to tell what time they first began to be used in it. Some say, the council of Nice ordered them to be inserted against Arius; others, that the church by common consent admitted them, in compliance with the doctrine of that council, to confront the Arian tenet, which asserted, that the Son was not in the beginning, and that there was a time when he was not. But if so, it is strange we should not hear of this additional part of the hymn in any Greek or Latin writer for above two whole centuries after. The first express mention that is made of it, is in the second council of Vaison,[6] anno 529, which says, It was then so used at Rome, and in Italy, and Africa, and all the East, and therefore is now so ordered to be used in the French churches. Whence it is plain it was not in the French churches before. And there is reason to conjecture, that the East is here put for the West, by a mistake of some transcriber, since it appears from Strabo, that in his time the custom of the Greek church was still otherwise; and how long it had been the custom of the Western churches before the time of this council, is uncertain. The Spanish churches, as we have seen, did not admit it till afterwards.

There goes an epistle, indeed, under the name of St. Jerom to Pope Damasus, which, if it were genuine, would make this addition more ancient than now it can be allowed to be: for there he advises Damasus to order, that in the Roman church at the end of every psalm there should be added, "Glory be to the Father, and to the Son, and to the Holy Ghost; as it was in the beginning, is now, and ever shall be, world without end. Amen."[7] But this epistle is rejected as spurious by learned men of all sides, Bellarmine, Baronius, Bona, and others of the Romanists, as well as protestants in general, because it contradicts the known practice of the Roman church in another particular; for at Rome they did not use the *Gloria Patri* at the end of every psalm long after this, in the time of Walafridus Strabo,[8] neither do they now, by the rubrics of the Roman Breviary at this day: whereas, if Damasus had made those orders, as this epistle directs, the *Gloria Patri* would have been used at Rome at the end of every psalm; which it was not, either there or in any of the Eastern churches, but only in France and some few other churches, as we have heard before in the last chapter.

There was another small difference in the use of this ancient hymn, which yet made no dispute among catholics, till the rise of the Arian heresy, and then it occasioned no small disturbance. The

[1] Conc. Tolet. 4. can. 12. In fine omnium psalmorum dicimus, Gloria et honor Patri, et Filio, et Spiritui Sancto, in sæcula sæculorum. Amen.

[2] Ibid. can. 14. In fine psalmorum, non sicut a quibusdam huc usque, Gloria Patri, sed Gloria et honor Patri, dicatur, &c.

[3] Missa Mozarab. in Nativ. Christi, ap. Mabillon. de Liturg. Gallic. p. 453. Gloria et honor Patri, et Filio, et Spiritui Sancto, in sæcula sæculorum. Amen.

[4] Athan. de Virgin. p. 1051.

[5] Strabo de Reb. Eccles. cap. 25.

[6] Conc. Vasens. 2. can. 5. Quia non solum in sede apostolica, sed etiam per totum Orientem et totam Africam vel Italiam, propter hæreticorum astutiam, qua Dei Filium non semper cum Patre fuisse, sed a tempore fuisse blasphemant, in omnibus clausulis post, Gloria Patri, &c., sicut erat in principio, dicitur, etiam et nos in universis ecclesiis nostris hoc ita esse dicendum decrevimus.

[7] Hieron. Ep. ad Damasum, 53. et inter Decreta Damasi, ap. Crab. Conc. t. 1. p. 383. Istud carmen laudis omni psalmo conjungi præcipias, &c.

[8] Strabo de Reb. Eccles. cap. 25.

catholics themselves of old were wont to say, some, "Glory be to the Father, and to the Son, and to the Holy Ghost;" others, "Glory be to the Father, and to the Son, with the Holy Ghost;" and others, "Glory be to the Father, in" or "by the Son, and by the Holy Ghost." Now, these different ways of expressing were all allowed, so long as no heterodox opinion was suspected to be couched under them, as Valesius[9] has observed in his notes upon Socrates and Theodoret, and St. Basil[10] shows more at large in his book De Spiritu Sancto. But when Arius had broached his heresy in the world, his followers would use no other form of glorification but the last, and made it a distinguishing character of their party, to say, "Glory be to the Father, in" or "by the Son, and Holy Ghost:" intending hereby to denote, that the Son and Holy Ghost were inferior to the Father in substance, and, as creatures, of a different nature from him, as Sozomen[11] and other ancient writers inform us. And from this time it became scandalous, and brought any one under the suspicion of heterodoxy, to use it, because the Arians had now, as it were, made it the *shibboleth* of their party. Philostorgius indeed says,[12] That the usual form of the catholics was a novelty, and that Flavian at Antioch was the first that brought in this form of saying, "Glory be to the Father, and to the Son, and to the Holy Ghost;" whereas all before him said either, "Glory be to the Father, by the Son, in the Holy Ghost;" or, "Glory be to the Father, in the Son and in the Holy Ghost." But this is no more than what one might expect from the partiality of an Arian historian, and it is abundantly confuted by the ancient testimonies which St. Basil produces[13] in his own vindication against some, who charged him with the like innovation; in answer to which, he says, he did no more than what was done before by Irenæus, Clemens Romanus, the two Dionysii of Rome and Alexandria, Eusebius of Cæsarea, Origen, Africanus, Athenogenes, Gregory Thaumaturgus, Firmilian, and Meletius, and what was done in the prayers of the church, and with the consent of all the Eastern and Western churches. Which would make a man amazed to hear Cardinal Bona[14] charging St. Basil as blameworthy, for displeasing the catholics in using the form of the heterodox party; when it is plain, it was the heterodox party that quarrelled with him for using the catholic form of the church. And yet, though he blames St. Basil without grounds, telling us, That a catholic doctor ought to be without rebuke, and abstain from terms that have a suspected sense, and offend pious ears; yet he has nothing to say to Pope Leo, who, if either, was more certainly liable to his censure, for using the Arian form of doxology, though in a catholic sense, in one of his Christmas sermons, which he thus words, Let us give thanks, beloved, to the Father,[15] by his Son, in the Holy Ghost. St. Basil never used this suspected form, (though he says it might be used with an orthodox meaning,) but always, "Glory be to the Father, with the Son and Holy Ghost." For which he was charged by some heterodox men as an innovator; but there was no room for Bona's censure.

Having thus stated the ancient form and modification of this hymn in its first original, and subsequent progress that it made in the church, we are next to see to what use it was applied, and in what parts of Divine service. And here we may observe, that it was a hymn of most general use, and a doxology offered to God in the close of every solemn office. The Western church repeated it at the end of every psalm, and the Eastern church at the end of the last psalm, as we have seen in the former chapter. Many of their prayers were also concluded with it, as we shall find in various instances in the following parts of this and the next Book; particularly the solemn thanksgiving or consecration prayer at the eucharist, to which Irenæus[16] and Tertullian[17] refer, when they mention the close of it, ending in these words, *αἰῶνας τῶν αἰώνων*, "world without end. Amen." The whole doxology commonly running thus: "To Father, Son, and Holy Ghost, be all glory, worship, thanksgiving, honour, and adoration, now and for ever, throughout all ages, world without end. Amen." As it is in the Constitutions.[18] Or, if the prayer ended, "by the intercession of Christ," then it was, "To whom with thee," or, "with whom unto thee and the Holy Spirit, be all honour, glory, &c., world without end.[19] Amen." This was also the ordinary conclusion of their sermons, "That we may obtain eternal life through Jesus Christ, to whom with the Father, and the Holy Ghost, be all glory and power, world without end:" as may be seen in the homilies of Chrysostom, Austin, Leo, and all others, of which more in the fourth chapter of this Book.

Sect. 2. Of the great doxology, "Glory be to God on high."

Another hymn of great note in the ancient church, was that which they commonly called, the angelical hymn, or great doxology, beginning with those words which the angels sung at our Saviour's birth, "Glory be to God on high," &c. This was chiefly used in the communion service, as it is now in our church;

[9] Vales. Not. in Socrat. lib. 2. cap. 21. et Theod. lib. 2. cap. 24.

[10] Basil. de Spir. Sanct. cap. 7, 25, et 29.

[11] Sozom. lib. 3. cap. 20. Ἐδόξαζον Πατέρα ἐν Υἱῷ, δευτερεύειν τὸν Υἱὸν ἀποφαίνοντες.

[12] Philostorg. lib. 3. cap. 13.

[13] Basil. de Spir. Sanct. cap. 29.

[14] Bona, Rer. Liturg. lib. 2. cap. 3. n. 2.

[15] Leo, Serm. 1. de Nativ. Agamus, dilectissimi, gratias Deo Patri, per Filium ejus, in Spiritu Sancto.

[16] Irenæ. lib. 1. cap. 1. [17] Tertul. de Spectac. cap. 25.

[18] Constit. lib. 8. cap. 12. [19] Ibid. cap. 13.

and there we shall speak of it again in its proper place. It was also used at morning prayer daily at men's private devotions, as I have showed before out of Athanasius and the Constitutions,[20] where the reader may find it repeated at length under the title of προσευχὴ ἑωθινή, the morning prayer. In the Mozarabic liturgy it is appointed to be sung in public before the lessons on Christmas day. St. Chrysostom[21] often mentions it, and in one place particularly observes[22] of those who retired from the world to lead an ascetic life, that they met together daily to sing their morning hymns with one mouth to God, among which they sung this angelical hymn with the angels in heaven. But I have observed before, that this was not the common practice of all churches, to sing it every day at morning prayer, but only in the communion service; or at least only upon Sundays, and Easter day, and such greater festivals of the church. Who first composed this hymn, adding the remaining part to the words sung by the angels, is uncertain. Some suppose[23] it to be as ancient as the time of Lucian, who lived in the beginning of the second century, and is thought to mean it in one of his dialogues, where he speaks of the hymn with many names, πολυώνυμον ᾠδὴν, as used by the Christians: others take it for the *Gloria Patri:* which is a dispute as difficult to be determined, as it is to find out the first author and original of this hymn. And all I shall say further of it, is only what was said heretofore by the fourth council of Toledo[24] against some, who rejected the hymns of St. Hilary and St. Ambrose and others, because they were of human composition: That by the same reason they might have rejected both the lesser doxology, "Glory and honour be to the Father, and to the Son, and to the Holy Ghost," which was composed by men; and also this greater doxology, part of which was sung by the angels at our Saviour's birth, "Glory be to God on high, and on earth peace to men of good will;" (so they read it, as many other Greek and Latin writers did;) but the rest that follows was composed and added to it by the doctors of the church.

Sect. 3. Of the *Trisagion* or cherubical hymn, "Holy, holy, holy," &c.

A third hymn of great note in the church was the cherubical hymn, or the *Trisagion*, as it was called, because of the thrice repeating, "Holy, holy, holy, Lord God of hosts," in imitation of the seraphims in the vision of Isaiah. The original form of this hymn was in these words, "Holy, holy, holy, Lord God of hosts, heaven and earth are full of thy glory, who art blessed for ever. Amen." Thus it is in the Constitutions,[25] and frequently in St. Chrysostom,[26] who says always, that it was in the same words that the seraphims sung it in Isaiah. Afterward the church added some words to it, and sung it in this form, Ἅγιος ὁ Θεὸς, ἅγιος ἰσχυρὸς, ἅγιος ἀθάνατος, ἐλέησον ἡμᾶς, Holy God, holy Mighty, holy Immortal, have mercy upon us. This form is ascribed by some to Proclus, bishop of Constantinople, and Theodosius junior, anno 446. And in this form not long after we find it used by the fathers of the council of Chalcedon,[27] in their condemnation of Dioscorus. Which is also noted by Damascen,[28] who says, the church used this form to declare her faith in the holy Trinity, applying the title of holy God to the Father, and holy Mighty to the Son, and holy Immortal to the Holy Ghost: not as excluding any of the three persons from each of the titles, but in imitation of the apostle, who says, "To us there is but one God the Father, of whom are all things, and we by him; and one Lord Jesus Christ, by whom are all things, and we by him." And thus this hymn continued to be applied to the whole Trinity, till Anastasius the emperor, as some[29] say, or, as others relate,[30] Peter Gnapheus, bishop of Antioch, caused the words, ὁ σταυρωθεὶς δι' ἡμᾶς, that was crucified for us, to be added to it. Which was intended to bring in the heresy of the Theopaschites, who asserted that the Divine nature itself suffered upon the cross; and was in effect to say, that the whole Trinity suffered, because this hymn was commonly applied to the whole Trinity. To avoid this inconvenience, one Calandio, bishop of Antioch, in the time of Zeno the emperor, made another addition to it, of the words, "Christ our King," reading it thus, "Holy God, holy Mighty, holy Immortal, Christ our King, that wast crucified for us, have mercy on us," as Theodorus Lector[31] and other historians inform us. These last additions occasioned great confusion and tumults in the Eastern church, whilst the Constantinopolitans and Western churches stiffly rejected them; and some of the European provinces, the better to confront them, and maintain the old way of applying it to the whole Trinity, instead of the words, "crucified for us," expressly said, "Holy Trinity, have mercy on us," as we find it in Ephrem Antiochenus,[32] recorded in Photius.

This is the short history and account of the rise

[20] See Book XIII. chap. 10. sect. 9.

[21] Chrys. Hom. 3. in Colos. p. 1337. Hom. 9. in Colos. p. 1380. [22] Ibid. Hom. 68. vel 69. in Mat. p. 600.

[23] Smith's Account of the Greek Church, p. 226.

[24] Conc. Tolet. 4. can. 12. Nam et ille hymnus, quem nato in carne Christo, angeli cecinerunt, Gloria in excelsis Deo, et in terra pax hominibus bonæ voluntatis, reliquaque quæ ibi sequuntur, ecclesiastici doctores composuerunt.

[25] Const. lib. 8. cap. 12. p. 402

[26] Chrys. Hom. 1. de Verb. Esai. t. 3. p. 834. Hom. 6. in Seraphim. ibid. p. 890. Hom. 21. ad Pop. Antioch. t. 1. p. 266. et passim. Vid. Cyril. Catech. Myst. 5. n. 5. Conc. Vasens. 2. can. 4.

[27] Conc. Chalced. Act. 1. p. 310. t. 4. Labbe.

[28] Damascen. de Orthod. Fide, lib. 3. cap. 10.

[29] Evagr. lib. 3. cap. 44. [30] Damascen. ibid.

[31] Theodor. Lect. lib. 2. p. 566. Cedren. an. 16. Zenonis.

[32] Phot. Bibliothec. Cod. 228. p. 773.

and progress of this celebrated hymn in the service of the church, and of the heretical corruptions and interpolations that were intended to be made upon it. As to its use, it was chiefly sung in the middle of the communion service, as we shall see more expressly hereafter in the next Book: but it was sometimes used upon other occasions, as we have heard in the council of Chalcedon before. And some Greek ritualists[33] tell us, that it was always sung before the reading of the Epistle, which was anciently a part of the service of the catechumens. But then they distinguish between the *Trisagion* and *Epinicion*, or triumphal hymn, calling the simple form, "Holy, holy, holy, Lord God of hosts," the *Epinicion*, which was sung in the communion service; and the other, the *Trisagion*, which was sung in the service of the catechumens: but the more ancient writers do not observe this distinction; and therefore I have here put both forms under the common name of the *Trisagion*. He that would see this history more at large, may consult Christianus Lupus[34] upon the council of Trullo, and Mr. Allix,[35] who has written a peculiar treatise upon the subject.

Sect. 4. Of the hallelujah and halleluatic psalms.

Next to the *Trisagion*, there is frequent mention made among the ancient writers of singing the hallelujah. By which they sometimes mean the repetition of this single word, which signifies, "Praise the Lord:" which they did in imitation of the heavenly host, singing and saying, again and again, "Hallelujah," Rev. xix. Sometimes they mean one of those psalms which were called halleluatic psalms,[36] because they had the word hallelujah prefixed before them in the title, such as the 145th, and those that follow to the end. The singing of these was sometimes called singing the hallelujah, as has been observed out of Cassian,[37] more than once, in the foregoing parts of this and the former Book. But the more common acceptation of hallelujah, is for the singing of the word itself, by a frequent solemn repetition of it, upon certain days, and in special parts of Divine service; it being a sort of invitatory, or mutual call to each other to praise the Lord. Therefore, as St. Austin[38] observes, they always used it in the Hebrew language, because that was the known signification of it: and so it was in our first liturgy, though now we say, "Praise ye the Lord," with a response of the people, "The Lord's name be praised." Anciently there was no dispute about the lawfulness of the hymn itself, but some variation and some dispute there was about the times of using it. St. Austin says, In some churches it was never sung but upon Easter day, and the fifty[39] days of Pentecost: but in other churches, it was used at other times also. Vigilantius contended fiercely[40] against St. Jerom, that it ought never to be sung but only upon Easter day. And in this he seems to have followed the practice of the church of Rome, where Sozomen[41] assures us, it was never sung but once a year, and that was upon Easter day; insomuch that it was the common form of an oath among the Romans, As they hoped to live to sing hallelujah on that day. Cardinal Bona[42] and Baronius[43] are very angry at Sozomen for this: but Valesius[44] honestly defends him, forasmuch as Cassiodore, who was a Roman, reports the same in his Historia Tripartitâ. But we must note, that anciently, in those churches where it was most frequented, there were some exceptions in point of time and season. For in the time of Lent it was never used, as appears from St. Austin,[45] who says, That was a time of sorrow, and therefore from the beginning of Lent till Easter day they always omitted it; the ancient tradition of the church being only to use it at certain seasons. The fourth council of Toledo[46] forbids the use of it not only in Lent, but upon other days of fasting, as particularly upon the first of January, which was then kept a fast in the Spanish church, because the heathen observed it with great superstition of many idolatrous rites and practices. In the same council, the hallelujah is mentioned under the name of *Laudes*,[47] and appointed to be sung after the reading of the Gospel; which, as Bona[48] and Mabillon[49] observe, was according to the Mozarabic rite; for in other churches it was sung between the Epistle and the Gospel. It was also sung at funerals, as St. Jerom acquaints us in his Epitaph of Fabiola, where he

[33] German. Theoria Eccles. Bibl. Patr. Gr. Lat. t. 2. p. 145.

[34] Lupus, Not. in Can. 81. Trullan.

[35] Allix de Trisagio.

[36] Aug. in Psal. cv. p. 505. Psalmi alleluatici. It. in Psal. cxviii. p. 542.

[37] Cassian. Instit. lib. 2. cap. 5 et 11.

[38] Aug. Ep. 178. et Hom. 16. ex 50. t. 10. p. 165.

[39] Aug. Ep. 119. ad Januar. cap. 17. Ut alleluia per solos dies quinquaginta cantetur in ecclesia, non usquequaque observatur. Nam et in aliis diebus varie cantatur alibi atque alibi. Vid. Ep. 86. et Hom. in Psal. cvi. et Serm. 151. de Tempore.

[40] Hieron. cont. Vigilant. cap. 1. Exortus est subito Vigilantius, qui dicat—nunquam nisi in Pascha alleluia cantandum.

[41] Sozom. lib. 7. cap. 19.

[42] Bona de Psalmod. cap. 16. sect. 7. n. 4.

[43] Baron. an. 384. n. 28.

[44] Vales. in Sozom. lib. 7. cap. 19.

[45] Aug. in Psal. cx. Venerunt dies ut jam cantemus alleluia, &c. Vid. in Psal. cvi. et cxlviii.

[46] Conc. Tolet. 4. can. 10. In omnibus quadragesimæ diebus (quia tempus non est gaudii, sed mœroris) alleluia non decantetur—Hoc enim ecclesiæ universalis consensio roboravit. In temporibus vero reliquis, id est, kalendis Januarii, quæ propter errorem gentilitatis aguntur, omnino alleluia non decantabitur.

[47] Ibid. can. 11. Laudes ideo Evangelium sequuntur propter gloriam Christi, quæ per idem Evangelium prædicatur.

[48] Bona, Rer. Liturg. lib. 2. cap. 6. n. 4.

[49] Mabil. de Liturg. Gallican. lib. 1. cap. 4. n. 12

speaks of the whole multitude singing psalms together,[50] and making the golden roof of the church shake with echoing forth the hallelujah. The author under the name of Dionysius,[51] speaks of it also as used in the confection of the chrism, or holy oil to be used in the unction of confirmation. St. Austin[52] says, it was sung every Lord's day at the altar, for the same reason that they prayed standing, as a memorial of Christ's resurrection, and as a figure of our future rest and joyfulness, to signify that our business in the life to come, will be nothing else but to praise God, according to that of the psalmist, "Blessed are they that dwell in thy house, O Lord, they will be always praising thee." The meaning of hallelujah being nothing else but "Praise the Lord," as both he and others[53] represent it. In the second council of Tours[54] it is appointed to be sung immediately after the psalms, both at the sixth hour, that is, noon-day, and the twelfth hour, that is, evening prayer. But whether they mean the shorter hallelujah, or one of those psalms called the halleluatic psalms, of which St. Austin and Cassian speak, is not very easy to determine. Isidore[55] says, it was sung every day in Spain, except upon fast days; though it was otherwise in the African churches. St. Jerom[56] says, it was used in private devotion; for even the ploughman at his labour sung his hallelujahs. And this was the signal or call among the monks[57] to their ecclesiastical assemblies; for one went about and sung hallelujah, and that was the notice to repair to their solemn meeting. Nay, Sidonius Apollinaris seems to intimate,[58] that the seamen used it as their signal or *celeusma* at their common labour, making the banks echo while they sung hallelujah to Christ. I only observe further, that in the church hallelujah was sung by all the people, as appears not only from what is said before by St. Jerom, that the church echoed with the sound of it; but also from that of Paulinus, in his epistle to Severus,[59] *Alleluia novis balat ovile choris*, The whole sheepfold of Christ sings hallelujah in her new choirs. And St. Austin,[60] alluding to this, says, it was the Christians' sweet *celeusma*, or call, whereby they invited one another to sing praises unto Christ.

Sect. 5. Of the hosanna, and the evening hymn, and *Nunc dimittis*, or the song of Simeon.

I do not here insist upon the hosanna, or the evening hymn, because it does not appear that either of these were used in the service of the catechumens. The hosanna was but a part of the great doxology, "Glory be to God on high," and only used in the communion service, where we shall speak of it hereafter. And the evening hymn has been mentioned[61] before in the former Book, where we have given an account of the daily evening service, and showed it to be rather a private hymn, than any part of the public worship of the church. In it was contained the *Nunc dimittis*, or song of Simeon, "Lord, now lettest thou thy servant depart in peace, according to thy word," &c. But whether any of this was used in public, or only by Christians in their private devotions in their families at their setting up of lights, is what I ingenuously confess I am not yet able, from any ancient records, to determine. For though there is frequent mention of the λυχναψία among the Greeks, and of the *lucernarium* among the Latins, as of a public office, for vespers or evening prayers; yet I will not assert, that this hymn was a part of that office, without clearer proof, but leave it to further disquisition and inquiry. The only thing we find more of the *Nunc dimittis*, is in the Life of Maria Ægyptiaca, who died about the year 525, of whom it is said, that a little before her death she received the eucharist, repeated the creed and the Lord's prayer, and sung the *Nunc dimittis*, "Lord, now lettest thou thy servant depart in peace, according to thy word."[62] But this was only an act of private devotion, and whether it was then received into the public offices of the church remains uncertain.

Sect. 6. Of the *Benedicite*, or the song of the three children.

But we are more certain of the use of the hymn, called *Benedicite*, or song of the three children in the burning fiery furnace. For not only Athanasius[63] directs virgins to use it in their private devotions, but the fourth council of Toledo[64] says, it was used in the

[50] Hieron. Ep. 30. cap. 4. Sonabant psalmi, aurata tecta templorum reboans in sublime quatiebat alleluia.

[51] Dionys. de Hierarch. Eccles. cap. 4.

[52] Aug. Ep. 119. ad Januar. cap. 15. Omnibus diebus Dominicis ad altare stantes oramus, et alleluia canitur, quod significat actionem nostram futuram non esse nisi laudare Deum, &c.

[53] Vid. Justin. Quæst. ad Orthodox. qu. 50.

[54] Conc. Turon. 2. can. 19. Patrum statuta præceperunt, ut ad sextam, sex psalmi dicantur cum alleluia; et ad duodecimam duodecim, itemque cum alleluia.

[55] Isidor. de Offic. lib. 1. c. 13. In Africanis ecclesiis non omni tempore, sed tantum Dominicis diebus et 50 post Domini resurrectionem alleluia cantatur: verum apud nos secundum antiquam Hispaniarum traditionem præter dies jejuniorum et quadragesimæ omni tempore canitur alleluia.

[56] Hieron. Ep. 18. ad Marcellam. Quocunque te verteris, arator stivam retinens alleluia decantat.

[57] Id. Ep. 27. Epitaph. Paulæ, cap. 16. Post alleluia cantatum, quo signo vocabantur ad collectam, nulli residere licitum erat.

[58] Sidon. lib. 2. Ep. 10. Curvorum hinc chorus helciariorum, responsantibus alleluia ripis, ad Christum levat amnicum celeusma.

[59] Paulin. Ep. 12. ad Sever.

[60] Aug. de Cantico Novo, cap. 2. t. 9. Celeusma nostrum dulce cantemus alleluia.

[61] Book XIII. chap. 11. sect. 5.

[62] Vita Mariæ Ægypt. ap. Durantum de Ritibus, lib. 1. cap. 16. n. 9.

[63] Athan. de Virgin. p. 1057.

[64] Conc. Tolet. 4. can. 13. Hymnum quoque trium puerorum, in quo universa cœli terræque creatura Deum collaudat, et quem ecclesia catholica per totum orbem diffusa

church over all the world, and therefore orders it to be sung by the clergy of Spain and Gallicia every Lord's day, and on the festivals of the martyrs, under pain of excommunication. L'Estrange[65] thinks this is the first time there is any mention made of this hymn, as of public use in the church: but Chrysostom lived two hundred years before this council, and he makes the same observation as the council does, that it was sung in all places[66] throughout the world, and would continue to be sung in future generations. The Lectionarium Gallicanum, published by Mabillon,[67] appoints this hymn to be sung after the reading of the Prophets, much after the same manner as it is now ordered to be sung between the first and second lesson in the liturgy of our church.

Sect. 7. Of the *Magnificat*, or song of the holy Virgin.

The use of the *Magnificat*, or song of the holy Virgin, "My soul doth magnify the Lord," &c., is not quite so ancient: for the first time we meet with it as prescribed for public use, is in the Rules of Cæsarius Arelatensis and Aurelian,[68] who order it to be sung in the French churches at morning service. And that was about the year 506.

Sect. 8. When first the Creed began to be sung as a hymn in the church.

Some learned persons reckon the singing of the Creed into the psalmody of the church, and speak of it as an ancient custom: but herein they mistake by suffering themselves to be imposed upon by modern authors. Bishop Wettenhal says,[69] it is no improbable conjecture, that the hymn which the primitive Christians are said by Pliny to have sung to Christ as God, was their creed; and that it is certain, the Nicene Creed has been sung in the church in a manner from the very compiling of it. For this he cites Platina in the Life of Pope Mark, who affirms, that it was ordained by that pope, that on all solemn days, immediately after the Gospel, the Creed should be sung with a loud voice by the clergy and people, in that form wherein it was explained by the Nicene council. When yet it is certain, on the other hand, that the Creed was never so much as barely repeated in the Roman church in time of Divine service, till the year 1014, when Benedict VIII. brought it into use, to comply with the practice of the French and Spanish churches, as has been showed at large in a former Book,[70] where we have noted, that it was never read publicly in the Greek church, but once a year, till Peter Fullo brought it into the church of Antioch, anno 471, and Timotheus into the church of Constantinople, anno 511, from whose example it was taken by the third council of Toledo, anno 589, and brought into custom in the Spanish churches. After which it was four whole centuries before it gained admittance in the church of Rome. So little reason is there to depend upon the authority of modern authors, in cases where they plainly contradict the testimony of more ancient and credible writers. And this is a good argument, as Bishop Stillingfleet well urges it,[71] to show the differences betwixt the old Gallican and Roman offices, and that the church of England did not follow precisely the model of the Roman offices, but those that were more anciently received in the general practice of the Gallican and British churches.

Sect. 9. Of the author and original of the hymn *Te Deum*.

There remains one hymn more, the *Te Deum*, which is now in use among us, the author and original of which is variously disputed. The common opinion ascribes it to St. Ambrose and St. Austin jointly; others to St. Ambrose singly,[72] because he is known to have composed hymns for the use of the church. Two things are chiefly said in favour of these opinions, which have no real weight or force in them. 1. That the Chronicle of Dacius, one of St. Ambrose's successors, says, he composed it. 2. That it is approved as his hymn in the fourth council of Toledo, anno 633. But to the first it is replied by learned men, that the pretended Chronicon of Dacius is a mere counterfeit, and altogether spurious. Mabillon[73] proves it to be at least five hundred years younger than its reputed author: whence the story that is so formally told in it, is concluded to be a mere fiction, and invention of later ages. The story is this, as Spondanus,[74] a favourer of it, reports it out of Dacius: That when St. Austin was baptized by St. Ambrose, whilst they were at the font, they sung this hymn by inspiration, as the Spirit gave them utterance, and so published it in the sight and audience of all the people. But the authority of the story resting merely upon the foundation of this fabulous writer, there is no credit to be given to it. Neither is there any greater weight to be laid upon what is alleged from the council of Toledo: for the council only says, That some hymns were composed

celebrat, quidam sacerdotes in missa Dominicorum dierum et in solennitatibus martyrum canere negligunt. Proinde sanctum concilium instituit, ut per omnes Hispaniæ ecclesias vel Gallicia, in omnium missarum solennitate idem in publico (al. pulpito) decantetur, &c.

[65] L'Estrange, Alliance of Div. Offic. chap. 3. p. 79.

[66] Chrys. Quod nemo læditur nisi a seipso, t. 4. p. 593. Ὠδὴν πανταχȣ̃ τῆς οἰκȣμένης ᾀδομένην, καὶ ᾀσθησομένην εἰς τὰς μετὰ ταῦτα γενεάς.

[67] Mabillon. de Liturg. Gallic. lib. 2. p. 108.

[68] Apud Mabillon. de Cursu Gallican. p. 407.

[69] Wettenhal, Gift of Singing, chap. 3. p. 330.

[70] Book X. chap. 4. sect. 17.

[71] Stilling. Orig. Britan. chap. 4. p. 237.

[72] Comber of Liturgies, p. 180.

[73] Mabil. Analecta Veterum, t. 1. p. 5.

[74] Spondan. anno 388. n. 9. In quibus fontibus, prout Spiritus Sanctus dabat eloqui illis, Te Deum laudamus, cantantes, cunctis qui aderant audientibus et videntibus, ediderunt. Ex Chronico Dacii, lib. 1. c. 10.

for the use of the church by St. Hilary and St. Ambrose, without any particular mention of this hymn; so that it might as well be ascribed to St. Hilary as St. Ambrose, for any thing that is said in that council. The truth of the matter is, that it was composed by a French writer about a hundred years after St. Ambrose's death, for the use of the Gallican church. Pagi[75] says, Gavantus found it in some MSS. ascribed to St. Abundius; and others have the name of Sisebutus prefixed to it. Bishop Usher[76] found it in two MSS. ascribed to Nicettus, bishop of Triers, who lived about the year 535. And he is now by learned men generally reputed the author of it. The learned Benedictins, who lately published St. Ambrose's works, judge St. Ambrose not to be the author of it: and Dr. Cave, though he was once[77] of a different judgment, yet upon maturer consideration[78] subscribes to their opinion. Wherefore the most rational conclusion is that of Bishop Stillingfleet,[79] that it was composed by Nicettus, and that we must look on this hymn as owing its original to the Gallican church; since not long after the time of Nicettus it is mentioned in the Rule of St. Benedict, cap. 11, and the Rule of Cæsarius Arelatensis, cap. 21, and the Rule of Aurelian, where they prescribe the use of it: but Menardus[80] is confident, there is no mention of this hymn in any writers of credit before them.

Sect. 10. The hymns of St. Ambrose.

But though St. Ambrose cannot be allowed to be the author of this hymn, yet there is no doubt to be made but that he composed hymns for the use of the church, some of which are yet extant. For St. Austin[81] mentions one of his evening hymns in several places, *Deus Creator omnium*, &c.; which I forbear to relate here at length, because I have done it in the former Book.[82] Again, St. Austin in his Retractations[83] speaks of another hymn composed by St. Ambrose, upon the repentance of Peter after the crowing of the cock, part of which he there relates, and says, it was used to be sung by many in his time. Du Pin thinks[84] most of those hymns which are now the daily office of the Roman service, are taken from St. Ambrose, but that the rest are in a different style, and owing to other authors. Particularly that the hymn, *Vexilla Regis prodeunt*, is none of his, which is now used in the Romish church in the fourth week of Lent, so notorious for their kneeling down to the cross, and worshipping it in these words:[85] Hail, cross, our only hope, in this time of passion, increase the righteousness of the pious, and grant pardon of sins to the guilty. We are sure this could not be the composition of St. Ambrose, nor any writer of that age; being so much the reverse of the practice of the ancient church, in whose hymns or other devotions there is not the least footstep of worshipping the cross, or any material image of God, as has been demonstrated in a former part of this work,[86] where the history of images has been handled *ex professo*, in considering the way of adorning the ancient churches.

Sect. 11. The hymns of St. Hilary, Claudianus Mamercus, and others.

There were many other hymns, and some whole books of hymns, composed by other writers of the church, of which we have little remaining besides the bare names, and therefore it will be sufficient just to mention them. St. Jerom says,[87] St. Hilary, bishop of Poictiers, composed a book of hymns: and these we are sure were, many years after his death, of famous note and use in the Spanish churches, being ratified and confirmed in the fourth council of Toledo.[88] But none of these are come to our hands, except a morning hymn[89] prefixed before his works, which he sent with an epistle to his daughter Abra. It is a prayer to Christ for preservation from the perils of day and night, savouring of ancient piety, and concluding with the common glorification of "Father, Son, and Holy Ghost." Sidonius Apollinaris[90] says also, that Claudianus Mamercus collected the psalms and hymns and lessons proper for the festivals in the church of Vienna in France, and made some hymns of his own, one of which he highly[91] commends for its elegancy, loftiness, and sweetness, as exceeding

[75] Pagi, Critic. in Baron. an. 388. n. 11.

[76] Usser. de Symbolo, p. 3.

[77] Cave, Hist. Liter. vol. 1. p. 215.

[78] Id. Hist. Liter. vol. 2. p. 75. Ambrosii esse, nullo idoneo testimonio probari potest, et fabulam pro origine habere videtur.

[79] Stillingfl. Orig. Britan. chap. 4. p. 222.

[80] Menard. Not. in Gregor. Sacramentar. p. 351.

[81] Aug. Confess. lib. 9. cap. 12. It. de Musica, lib. 6. cap. 2 et 17.

[82] Book XIII. chap. 5. sect. 7.

[83] Aug. Retract. lib. 1. cap. 21. Cantatur ore multorum in versibus beatissimi Ambrosii, ubi de gallo gallinaceo ait, Hoc, ipsa Petra ecclesia canente, culpam diluit.

[84] Du Pin, Bibliothec. Cent. 4. p. 231.

[85] Breviar. Rom. Hebdom. 4. Quadragesimæ die Sabbati.
O Crux ave spes unica,
Hoc passionis tempore,
Auge piis justitiam,
Reisque dona veniam.

[86] Book VIII. chap. 8. sect. 6, &c.

[87] Hieron. de Scriptor. Eccl. cap. 110.

[88] Conc. Tolet. 4. can. 12.

[89] Hilar. Epist. ad Fil. Abram. Interim tibi hymnum matutinum et serotinum misi, ut memor mei semper sis. The hymn begins thus, Lucis largitor optime, &c.; and ends in these words of the doxology,
Gloria tibi Domine,
Gloria Unigenito,
Cum Spiritu Paracleto.
Nunc et per omne sæculum.

[90] Sidon. lib. 4. Ep. 11. Psalmorum hic modulator et phonascus, instructas docuit sonare classes. Hic solennibus annuis paravit, quæ quo tempore lecta convenirent.

[91] Id. lib. 4. Ep. 3. Jam vero de hymno tuo si percunctere quod sentiam, commaticus est, copiosus, dulcis, elatus, et

any of the ancient lyrics, in the greatness of its composure and historical truth. Savaro says, in his notes upon the place, that it is the same which is now in the Roman Breviary, and because it answers the character which Sidonius gives it, and has none of the superstition of a modern composure in it, (such as the *Vexilla Regis*, fathered upon St. Ambrose,) I think it not improper to transcribe in the margin here,[92] for the use of the learned reader. And say further, that if every thing in the Roman Breviary had been in this strain, it had much more resembled the piety and simplicity of the ancient hymns, and been free from those marks of superstition and idolatry, which now it labours under, by mixing the follies of the modern superstitious admirers of the worship of the Virgin Mary and the cross, which were so great a deviation from the ancient worship, and stood so much in need of reformation. There were many other hymns for the use of particular churches, composed by learned men, as Nepos, and Athenogenes, and Ephrem Syrus, not to mention those spoken of by Pliny and Tertullian, and frequently by Eusebius; nor those which Paulus Samosatensis caused in his anger to be cast out of the church of Antioch; nor those which Sozomen,[93] says were made upon a special occasion, when the people of Antioch had incensed Theodosius, by throwing down his statues; which were both sung in the church, and before Theodosius himself, by the singing boys, as he sat at table. Of all which we have no further account but only the bare mention of them in their several authors. As for those composed by Gregory Nazianzen, Paulinus, Prudentius, and other Christian poets, they were not designed for public use in the church, but only to antidote men against the poison of heresies, or set forth the praises of the martyrs, or recommend the practice of virtue in a private way: for which reason I take no notice of them in this place, being only concerned to give an account of such hymns as related to the ancient psalmody, as a part of the public service of the church. And so I have done with the first part of their worship in the *missa catechumenorum*, or service of the catechumens.

CHAPTER III.

OF THE MANNER OF READING THE SCRIPTURES IN THE PUBLIC SERVICE OF THE CHURCH.

Sect. 1. Lessons of the Scripture sometimes mixed with psalms and hymns, and sometimes read after them.

NEXT to the psalmody and hymns, we are to take a view of their way of reading the Scriptures, which was another part of the service of the catechumens, at which (as has been observed before) all sorts of persons were allowed to be present for instruction. Which is an argument of itself, sufficient (if there were no other) to prove, that they were always read in a known tongue: of which I need say no more here, because it has been so fully evinced by great variety of arguments in the last Book. What we are now to observe further, relates to the manner and circumstances of this service. Where, first of all, it is proper to remark, that though many times the psalms, and lessons, and hymns were so intermixed, (as now they are in our liturgy,) that it is hard to tell which came first in order, or with which the service began; yet in some places it was plainly otherwise; for the psalms were first sung all together, only with short prayers between them, and then the lessons were read by themselves, to such a number as the rules of every church appointed. Of which I have given sufficient proof out of Cassian and St. Jerom, in the beginning of the last chapter, which may supersede all further confirmation in this place.

Sect. 2. The lessons read both out of the Old and New Testament, except in the church of Rome, where only Epistle and Gospel were read.

The next thing worthy of our observation, is the number of the lessons, which were always two at least, and sometimes three or four, and those partly out of the Old Testament, and partly out of the New. Only the church of Rome seems to have been a little singular in this matter; for, as Bishop Stillingfleet[1] observes out of Walafridus Strabo[2] and others of her old ritualists, for 400 years, till the time of Pope Celestine, they had neither psalms nor lessons out of the Old Testament read before the sacrifice, but only Epistle and Gospel. In other churches they had lessons

quoslibet lyricos dithyrambos amœnitate poetica et histotica veritate supereminet.

[92] Breviar. Rom. Dominica 5. Quadragesimæ, sive in Passione Domini ad Matutinum.

Pange lingua gloriosi
Prælium certaminis,
Et super crucis trophæum
Dic triumphum nobilem,
Qualiter redemptor orbis
Immolatus vicerit.

De parentis protoplasti
Fraude factor condolens,
Quando pomi noxialis
Morsu in mortem corruit,
Ipse lignum tunc notavit,
Damna ligni ut solveret.

Hoc opus nostræ salutis
Ordo depoposcerat,
Multiformis proditoris
Ars ut artem falleret,
Et medelam ferret inde,
Hostis unde læserat.

Quando venit ergo sacri
Plenitudo temporis,
Missus est ab arce Patris
Natus orbis conditor:
Ac de ventre virginali
Caro factus prodiit.

Vagit infans inter arcta
Conditus præsepia:
Membra pannis involuta
Virgo mater alligat;
Et manus pedesque et crura
Stricta cingit fascia.

Gloria et honor Deo
Usquequaque altissimo,
Una Patri, Filioque,
Inclito Paraclito,
Cui laus est et potestas
Per æterna sæcula. Amen.

[93] Sozom. lib. 7. cap. 23.

[1] Stilling. Orig. Britan. chap. 4. p. 215.

[2] Strabo de Reb. Eccl. cap. 22.

out of the Old Testament as well as the New. Cassian[3] says, In Egypt, after the singing of the psalms, they had two lessons read, one out of the Old Testament, and the other out of the New: only on Saturdays and Sundays, and the fifty days of Pentecost, they were both out of the New Testament, one out of the Acts of the Apostles or the Epistles, and the other out of the Gospels. The author of the Constitutions[4] speaks of four lessons, two out of Moses and the Prophets, besides the Psalms, and then two out of the Epistles or Acts of the Apostles and the Gospels. Again,[5] he mentions the reading of the Prophets on Sundays. And in another place,[6] the Law and the Prophets, the Psalms and the Gospels. And, again, the Law and the Prophets,[7] and the Epistles, and the Acts, and the Gospels. So Justin Martyr, describing the business of the Christian assemblies on the Lord's day, speaks of the reading of the writings of the prophets, as well as the apostles.[8] In like manner Chrysostom, reproving some who were very negligent at church, says,[9] Tell me what prophet was read to-day, what apostle? implying, that the one was read as well as the other. Particularly he tells us, that the Book of Genesis was always read in Lent, of which more by and by, in the following observation. St. Basil, in one of his homilies[10] upon baptism in Lent, takes notice of the several lessons that were read that day, besides the psalms, whereof one was out of the 1st of Isaiah, the second out of Acts ii., and the third out of Matthew xi. And in another homily[11] he speaks of the Psalms and Proverbs, and Epistles and Gospels, as read that day. Maximus Taurinensis, in one of his homilies upon the Epiphany,[12] says, The lessons were out of Isaiah lx., Matt. ii., and John i., for that festival. St. Austin sometimes only mentions Epistle and Gospel. But in other places he expressly mentions[13] the reading of the Prophets, and particularly mentions the prophet Micah, and those words of the 6th chapter, "What doth the Lord require of thee, but to do justly, to love mercy, and to walk humbly with thy God;" which were the theme for his discourse upon the lesson for the day. In the French churches there is still more evidence for this practice: for Cæsarius Arelatensis,[14] in one of his homilies, cited by Mabillon, uses this argument to the people, why they should stay the whole time of Divine service, because the lessons were not so properly called *missa* or Divine service, as was the oblation or consecration of the body and blood of Christ; for they might read at home, or hear others read the lessons, whether out of the prophets, or apostles, or evangelists; but they could not hear or see the consecration any where else but only in the house of God. Where it is plainly implied, that the lessons were then read in the church as well out of the Prophets, as the Epistles and Gospels. And so in the relation of the conference between the catholics and Arians in the time of Gundobadus, king of Burgundy, which we have had occasion to mention before[15] out of the same learned writer, it is said, that in the vigil held the night before the conference, four lessons were read, one out of Moses, another out of the prophet Esaias, a third out of the Gospel, and the last out of the Epistles. And in the old Lectionarium Gallicanum, published by Mabillon, there is always a lesson out of the Old Testament before the Epistle and Gospel; and on the *sabbatum sanctum*, or Saturday before Easter,[16] there are no less than twelve lessons appointed out of Genesis, Exodus, Joshua, Isaiah, Ezekiel, Daniel, and Jonah, beside the Epistle and Gospel which follow after. It further appears from the canons of the council of Laodicea,[17] and the third council of Carthage,[18] and St. Cyril's Catechetical Discourses,[19] that all the books of the Old Testament were then read in the church, as well as the New. For they give us catalogues of what books might or might not be read in the church, among which all the books of the Old Testament are specified as such as were then actually read in the public service; and Cyril allows his catechumens to read no other books in private but the books of the Old and New Testament, which he thought they might safely read, because they were both publicly read in the church.

Sect. 3. Proper lessons for certain times and festivals.

The next observation to be made is, upon their method of reading the Scriptures, which seems always to be done by some rule, though this might vary in different churches. St. Austin tells us[20] there were some lessons so fixed and appropriated to certain times

[3] Cassian. Instit. lib. 2. cap. 6. [4] Constit. lib. 2. cap. 57.
[5] Idem, lib. 2. cap. 59. [6] Idem, lib. 5. cap. 19.
[7] Idem, lib. 8. cap. 5. [8] Justin. Apol. 2. p. 98.
[9] Chrys. Hom. 24. in Rom. p. 270. Hom. 3. de David et Saul. t. 2. p. 1037.
[10] Basil. Hom. 13. de Bapt. t. 1. p. 409.
[11] Ibid. Hom. 21. in Lacizis, p. 460.
[12] Maxim. Taurin. Hom. 4. in Epiphan.
[13] Aug. Hom. 237. de Temp. p. 384.
[14] Cæsar. Arelat. De non recedendo ab Ecclesia, &c. ap. Mabillon. de Liturg. Gallic. lib. 1. cap. 4. n. 4. Non tunc fiunt missæ, quando divinæ lectiones in ecclesia recitantur, sed quando munera offeruntur, et corpus vel sanguis Domini consecratur: nam lectiones, sive propheticas, sive apostolicas, sive evangelicas, etiam in domibus vestris aut ipsi legere, aut alios legentes audire potestis; consecrationem vero corporis et sanguinis Domini non alibi, nisi in domo Dei, audire vel videre poteritis.
[15] Book XIV. chap. 1. sect. 2.
[16] Lectionar. Gallican. ap. Mabillon. de Liturg. Gallic. lib. 2. p. 138.
[17] Conc. Laodic. can. 59 et 60.
[18] Conc. Carth. 3. can. 47.
[19] Cyril. Catech. 4. n. 22. p. 67.
[20] Aug. Expos. in 1 Joan. in Præfat. t. 9. p. 235. Interposita est solennitas sanctorum dierum, quibus certas ex

and seasons, that no others might be read in their stead. And he particularly instances in the festival of Easter, when for four days successively the history of Christ's resurrection[21] was read out of the four Gospels. On the day of his passion[22] they read the history of his sufferings out of St. Matthew's Gospel only. And all the time between Easter and Pentecost,[23] he says, they read the Acts of the Apostles. This last particular is frequently mentioned by St. Chrysostom, who has a whole sermon to give an account of the reasons of it. There he takes notice of many things together relating to this matter of reading the lessons by rule and order. First, he tell us[24] how, by the appointment of the church, on the day of our Saviour's passion all such Scriptures were read, as had any relation to the cross; then how, on the great sabbath, or Saturday before Easter, they read all such portions of Scripture as contained the history of his being betrayed, crucified, dead, and buried. He adds also,[25] that on Easter day they read such passages as gave an account of his resurrection; and on every festival, the things that related to that festival. But it seemed a difficulty, why then the Acts of the Apostles, which contain the history of their miracles done after Pentecost, should not rather be read after Pentecost, than before it? To this he answers, That the miracles of the apostles, contained in that book, were the great demonstration of our Saviour's resurrection: and therefore the church appointed that book to be read always between Easter and Pentecost, immediately after our Saviour's resurrection, to give men the evidences and proofs of that holy mystery, which was the completion of their redemption. So that though the lessons for other festivals related the things that were done at those festivals; yet, for a particular reason, the Acts of the Apostles, which contained the history of things done after Pentecost, were read before Pentecost, because they were more proper for the time immediately following our Saviour's resurrection. And upon this account it became a general rule over the whole church, to read the Acts at this time, as not only Chrysostom testifies here, but in many other places of his writings. In his homily upon those words, "Saul yet breathing out threatenings and slaughter against the disciples," Acts ix., he gives this reason why he could not preach in order upon every part of that book,[26] because the law of the church commanded it to be laid aside after Pentecost, and the reading of it to conclude with the end of the present festival. In another place[27] he says, it was appointed by law to be read on that festival, and not usually read in any other part of the year. And in another place[28] he gives this reason why he broke off his sermons upon Genesis in the Passion Week, because the intervention of other solemnities obliged him to preach then upon other subjects, agreeable to what was read in the church, as against the traitor Judas, and upon the passion, and our Saviour's resurrection, at which time he took in hand the Acts of the Apostles, and preached upon them from Easter to Pentecost. Cassian[29] says, the same order was observed among the Egyptians: and it appears from the ancient Lectionarium Gallicanum, that it was so in the French churches: for there almost on every day between Easter and Pentecost, except the rogation days, and some few others, two lessons are ordered to be read out of the Apocalypse and the Acts of the Apostles. Whence it may be concluded further, that the reading of the Apocalypse was also in a great measure appropriated to this season in the Gallican church. And so it was in the Spanish churches, by an order of the fourth council of Toledo, which enjoins the reading of it[30] in this interval under pain of excommunication. In Lent they usually read the Book of Genesis, as is plain from Chrysostom, whose famous homilies called *ἀνδριάντες*, because they are about the statues of the emperor, which the people of Antioch had seditiously thrown down, were preached in Lent: and in one of these[31] he says, he would preach upon the Book that had been read that day, which was the Book of Genesis, and the first words, "In the beginning God created heaven and earth," were the subject of his discourse. In another sermon,[32] preached upon the same text in the beginning of Lent, he says, the words had been read in the lesson that day. And for this very reason he preached two whole Lents upon the Book of Genesis, because it was then read of course in the church. For the first thirty-two of those homilies were preached at Constantinople in Lent, in the third year after he was made bishop, anno 400, or 401; but the festivals of the Passion, and Easter,

evangelio lectiones oportet in ecclesia recitari, quæ ita sunt annuæ, ut aliæ esse non possint.

[21] Vid. Aug. Serm. 139, 140, 141, 144, 148. de Tempore. Item, Chrys. Hom. 88. in Mat. p. 731.

[22] Aug. Serm. 143. de Tempore, p. 320.

[23] Aug. Tract. 6. in Joan. t. 9. p. 24. et Hom. 83. de Diversis.

[24] Chrys. Hom. 63. Cur in Pentecoste Acta legantur, t. 5. p. 949.

[25] Ibid. p. 951.

[26] Ibid. 47. t. 5. p. 637. *Τῶν πατέρων ὁ νόμος κελεύει μετὰ τὴν Πεντέκοστὴν ἀποτίθεσθαι τὸ βιβλίον*, &c.

[27] Ibid. 48. in Inscriptionem Altaris, Act. 17. t. 5. p. 650. *Τῇ ἑορτῇ ταύτῃ νενομοθέτηται αὐτὸ ἀναγινώσκεσθαι*, &c.

[28] Ibid. 33. in Gen. p. 478.

[29] Cassian. Instit. lib. 2. cap. 6.

[30] Conc. Tolet. 4. can. 16. Si quis Apocalypsin a Pascha usque ad Pentecosten missarum tempore in ecclesia non prædicaverit, excommunicationis sententiam habebit.

[31] Chrys. Hom. 7. ad Pop. Antioch. t. 1. p. 107. *Τὸ σήμερον ἡμῖν ἀναγνωσθὲν μεταχειριεῖμαι βιβλίον.*

[32] Serm. 1. in Gen. i. t. 2. p. 880. *Ταῦτα γὰρ ἡμῖν ἀνεγνώσθη σήμερον.* Vid. Chrys. Hom. 6. de Pœnitentia in Edit. Latinis.

and Pentecost coming on, this subject was interrupted, and he preached on other subjects, as he himself[33] tells us, suitable to those occasions. Afterward he resumed his former work, and finished his Comment upon Genesis in thirty-two sermons more in the year ensuing. Which makes it plain, that Genesis was then read in Lent, as the Acts were in Pentecost, and that Chrysostom conformed his discourses according to the order of reading then established in the church. It appears further from St. Ambrose, that the Book of Job and Jonah were both read in the Passion Week. For speaking of a sermon which he made to the people at this time, he says,[34] Ye have heard, children, the Book of Job read, which is in course appointed to be read at this time. And[35] again, says he, the Book of Jonah was read. That is, as Pagi[36] critically remarks, on the third day of the Passion Week. And that this was an ancient rule of the church, appears from Origen's Comment upon Job, which, St. Jerom[37] says, St. Hilary translated into Latin. For there[38] he not only tells us, that the Book of Job was read in the church in Passion Week, but also gives us the reason of it, because it was a time of fasting and abstinence, a time in which they that fasted and abstained had, as it were, a sort of fellow suffering with admirable Job, a time in which men by fasting and abstinence followed after the passion of Christ Jesus our Lord: and because the passion of Job was in a great measure a type and example of the passion and resurrection of Christ, therefore the history of Job's passion was with good reason read and meditated upon in these days of passion, these days of sanctification, these days of fasting. Thus far Origen: but in the[39] Lectionarium Gallicanum there is no mention of the Book of Job, but only of Jonah on the *sabbatum magnum*, or Saturday before Easter day.[40] St. Jerom seems to say, that the prophet Hosea was also read on the vigil of our Saviour's passion. For he mentions a long discourse of Pierius, which he had read, made by that martyr on the beginning of that book, in an elegant but extemporary style, on the vigil before the Passion. St. Chrysostom,[41] in one of his homilies upon the Gospel of St. John, which he was then expounding, advises his auditors to read at home, in the week days before, such portions of the Gospel as they knew were to be read and expounded on the Lord's day following in the church. Which implies some certain rule and order. So that though we have not any complete Lectionarium, or calendar of lessons, now remaining, yet we are sure their reading of Scripture was some way methodized and brought under rule, especially for the greater solemnities and festivals of the church. The first calendar of this kind is thought by some to be Hippolytus's Canon Paschalis, which, as I have showed before,[42] no less men than Scaliger and Gothofred take to be a rule appointing lessons proper for the festivals. But Bucherius and others give another account of it, which leaves the matter uncertain. There goes also under the name of St. Jerom, a book called his Comes or Lectionarium; but critics of the best rank[43] reckon this a counterfeit, and the work of a much later writer, because it mentions lessons out of the prophets and Old Testament, whereas in St. Jerom's time, as we have noted before, there were no lessons read besides Epistles and Gospels in the church of Rome. However, some time after there were several books of this kind composed for the use of the French churches. Sidonius Apollinaris[44] says, Claudianus Mamercus made one for the church of Vienna, anno 450. And Gennadius[45] says, Musæus made another for the church of Marseilles, about the year 458. But both these are now lost, and the oldest of this kind is the Lectionarium Gallicanum, which Mabillon lately published from a manuscript, which he judges by the hand to be above a thousand years old, but wrote after the time of Gregory the Great, because it mentions the festival of Genovefa,[46] who is supposed to live after his time. But though we have no more ancient calendar now remaining, yet the authorities alleged before do indisputably evince the thing itself, that the lessons of Scripture were generally appropriated to times and seasons, according as the festivals required: and for the rest, they were either read in order as they lie in the Bible, as Mabillon[47] shows from the Rules of Cæsarius and Aurelian; or else were arbitrarily appointed by the bishops at

[33] Chrys. Hom. 33. in Gen. p. 480. Vid. Severiani Gabalensis, Hom. 1. in Gen. ap. Combefis. Auctar. Noviss. p. 214. Et Aug. Serm. 71. de Temp.

[34] Ambros. Ep. 33. ad Marcellin. Soror. p. 160. Audistis, filii, librum legi Job, qui solenni et munere est decursus et tempore.

[35] Ibid. p. 162. Sequenti die lectus est de more liber Jonæ.

[36] Pagi, Critic. in Baron. an. 387. n. 4.

[37] Hieron. cont. Vigilant.

[38] Origen in Job, lib. 1. p. 366. In conventu ecclesiæ in diebus sanctis legitur Passio Job, in diebus jejunii, in diebus abstinentiæ, &c.

[39] Lectionar. Gallic. ap. Mabillon. de Liturg. Gallic. p. 139.

[40] Hieron. Procem. in Hoseam, ad Pammach. Pierii quoque legi tractatum longissimum, quem in exordio hujus prophetæ die vigiliarum Dominicæ passionis extemporali et diserto sermone profudit.

[41] Chrys. Hom. 10. in Joan. al. 11. edit. Savil. p. 597.

[42] Book XIII. chap. 5. sect. 6.

[43] Vid. Stilling. Orig. Britan. chap. 4. p. 229. et Cave, Hist. Literar. vol. 1. p. 225.

[44] Sidon. lib. 4. Ep. 11. Hic solennibus annuis paravit, quæ quo tempore lecta convenirent.

[45] Gennad. de Scriptor. cap. 79. Excerpsit de Scripturis lectiones totius anni festivis diebus aptas; responsoria psalmorum capitula temporibus et lectionibus congruentia.

[46] Lectionar. Gallic. ap. Mabil. p. 114.

[47] Mabil. de Cursu Gallicano, p. 406.

discretion, as sometimes particular psalms were upon emergent occasions, according to the observation that has been made[48] in speaking of that subject. St. Austin says expressly,[49] he sometimes ordered a lesson to be read agreeable to the subject of the psalm upon which he was preaching. And Ferrarius[50] gives several other instances, both out of St. Austin[51] and Chrysologus,[52] to the same purpose, which need not here be repeated.

Sect. 4. By whom the Scriptures were anciently read in the church.

The next question may be concerning the persons by whom the Scriptures were publicly read in the church. Which is a question that has been in some measure answered before, in speaking of the order of readers.[53] Where I showed, that for the two first centuries, before the order of readers was instituted, it is probable the Scriptures were read by the deacons, or else in imitation of the Jewish church, by such as the bishop or president for that time appointed. But in the time of St. Cyprian, it was the peculiar office of the readers, which were become an inferior order of the clergy, to read all the lessons of Scripture, and even the Gospel, as well as other parts, as appears from several[54] of Cyprian's epistles. Here I must add, that in after ages the reading of the Gospel was in some churches confined to the office of the deacons and presbyters. For so the author of the Constitutions[55] words it: After the other lessons are read by the readers, let a deacon or a presbyter read the Gospels. And so St. Jerom reminds Sabinianus[56] the deacon, how he had read the Gospels in the church. And Socrates[57] notes the same of Sabbatius, a presbyter in the Novatian church. Sozomen says,[58] At Alexandria the Gospel was read only by the archdeacon; in other places, by the deacons; in others, only by the presbyters, and on the greater festivals by the bishop, as at Constantinople on Easter day. In the French churches, it was the ordinary office of deacons, as appears from that canon of the council of Vaison, which says,[59] That if the presbyter was sick, the deacon might read a homily, giving this reason for it, that they who were thought worthy to read the Gospels of Christ, were not unworthy to read the expositions of the holy fathers. Yet in the Spanish churches the ancient custom continued, that the readers read the Gospel as well as other lessons. Which may be collected from that canon of the first council of Toledo,[60] which allows no one that had done public penance, ever to be ordained, unless it were to the office of a reader, in case of great necessity, and then he should read neither the Epistle nor the Gospel. Which implies, that other readers, who were never under penance, read both the Gospel and all other lessons, as Albaspinæus[61] in his notes rightly observes upon it.

Sect. 5. Whether the Epistle and Gospel were read twice, first to the catechumens, and then to the faithful at the altar.

But in one thing that learned person seems to be mistaken, when he supposes that[62] reading of the Gospel to have been in the communion service. For anciently the Scriptures, and even the Gospel itself, were only read in the service of the catechumens. Cardinal Bona[63] indeed says, the ancient custom was to read the Gospel only to the faithful, and that the council of Orange in France,[64] and the council of Valentia in Spain,[65] were the first that ordered it otherwise. But nothing is plainer, than that the reading of the Gospel was always before the sermon, and the sermon was always before the communion service began, in the presence of the catechumens, and before their dismission, ordinarily, being designed chiefly for their instruction. Therefore, though some ill custom might have crept into the churches of France and Spain, excluding the catechumens from hearing the Gospel and the sermon, which those councils endeavoured to correct; yet that is far from proving it to be the ancient custom, to confine the hearing of the Gospel to the faithful only: and a man cannot look into the homilies of St. Austin, or St. Chrysostom, but he will find this mistake every where confuted. For they always speak of reading the Gospel before the homily, and the homily made in the presence of the catechumens: and the contrary supposition is merely owing to a common prejudice and conceit, that the ancient service was in all things like the modern, where the Gospel is twice read, first among the lessons, and then with the Epistle, by itself in the communion service; whereas anciently they were both read in the ordinary course of the lessons, in that part of the service only, which was properly called the service of the catechumens.

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[48] Book XIV. chap. 1. sect. 6.

[49] Aug. in Psal. xc. Ser. 2. p. 412. Propterea fecimus ipsam lectionem Evangelii recitari, ubi Dominus tentatus est, per ea verba psalmi quæ hic audistis.

[50] Ferrar. de Ritu Concionum, lib. 1. cap. 17.

[51] Aug. Ser. 23. de Verbis Domini. Ser. 121. de Diversis. Tract. 12. in Joan.

[52] Chrysolog. Ser. 66 et 118.

[53] Book III. chap. 5.

[54] Cypr. Ep. 34. al. 39. Ep. 38.

[55] Constit. lib. 2. cap. 57.

[56] Hieron. Ep. 48. ad Sabinian. Evangelium Christi quasi diaconus lectitabas.

[57] Socrat. lib. 7. cap. 5.

[58] Sozom. lib. 7. cap. 19.

[59] Conc. Vasens. 2. can. 2. Si enim digni sunt diaconi, quæ Christus in Evangelio locutus est, legere, quare indigni judicentur sanctorum patrum expositiones publice recitare?

[60] Conc. Tolet. 1. can. 2. Pœnitentes non admittantur ad clerum, nisi tantum si necessitas aut usus exegerit, et tunc inter lectores deputentur, ita ut Evangelia aut Apostolum non legant. Vid. can. 4. ibid.

[61] Albaspin. Not. in Conc. Tol. 1. can. 2. Liquido ex his constat lectores non Evangelium tantum, sed et lectiones pronunciasse.

[62] Albaspin. Not. in Can. 4. Conc. Carthag. 3.

[63] Bona, Rer. Liturg. lib. 2. cap. 7. n. 1.

[64] Conc. Arausican. 1. can. 18.

[65] Conc. Valentin. can. 1.

Sect. 6. The solemnity and ceremonies of reading the lessons. Where first of the salutation, *Pax vobis*, before reading.

The next thing worthy our observation, is the solemnity and ceremony with which the ancients appointed the Scriptures to be read. The reader, before he began to read, was commonly used to say, *Pax vobis*, Peace be with you, which was the usual form of salutation at the entrance of all offices in the church. St. Cyprian[66] plainly alludes to this, when, speaking of a new reader whom he had ordained to the office the Lord's day before, he says, *Auspicatus est pacem, dum dedicat lectionem*, He began to use the salutation, Peace be with you, when he first began to read. I know none of the commentators that take notice of this custom in Cyprian, or make any remark upon the phrase; but this is evidently the sense of it, and so the learned Albaspinæus[67] understands it. This custom seems to have continued in Africa till the third council of Carthage[68] made an order to the contrary, that the reader should no longer salute the people. This form of salutation, Peace be with you, to which the people usually answered, And with thy Spirit, was commonly the office of a bishop, or presbyter, or deacon, in the performance of their several functions in the church, as is noted by Chrysostom,[69] in many places: and, therefore, this council took away this power from the readers, and put it into the hands of the deacons or the other superior ministers of the church. So that, as the reader had used to say before reading, Peace be with you, this canon only ordered that it should be said by some other minister. For that it was used either by the reader, or some other minister before he began to read, appears from St. Austin, who, writing against the Donatists, says,[70] nothing could be more perverse than their own practice, who, before the reader began to read the Epistle, said to him, Peace be with thee, and yet separated from the peace of those churches to which the Epistles were written.

Sect. 7. This salutation sometimes used by the bishop immediately before the reader began to read.

St. Austin, in another place, mentions the bishop's using this form of salutation as soon as he came into the church, immediately before the reader began to read the lessons, which in Africa, in those days, was the first part of the service, with a responsory psalm between every lesson. I went to church, says he,[71] I saluted the people, that is, said, Peace be unto you; and then, silence being made, the solemn lessons of the Holy Scriptures were read in order. This custom of saluting the people in this form is also mentioned by Chrysostom, in several places. When we are come into the church,[72] says he, we say immediately, Peace be unto you, according to this law, and ye answer, And with thy spirit. Again,[73] The bishop, at his entrance into the church, says always, Peace be unto you, as a proper salutation when he comes into his Father's house. And in another place,[74] When the bishop enters the church, he immediately says, Peace be with you all: when he begins his sermon, he says again, Peace be with you all, &c. Now, considering that this was the common salutation at the beginning of all offices, and that the Scriptures began to be read as soon as the bishop came into the church, it is plain that such a form of salutation was always used by one or other before the reading of the Scriptures.

Sect. 8. The deacon enjoined silence before the reader began, and required attention: as the reader also did before every lesson, saying, Thus saith the Lord.

St. Chrysostom takes notice of two other customs relating to this matter, as introductory to the reading and hearing the Scriptures with greater advantage: that is, the deacon's enjoining silence, and requiring attention, and the reader himself, after the naming any lesson, saying, Thus saith the Lord. The deacon, says he, who is the common minister of the church, first stands up and cries with a loud voice,[75] Πρόσχωμεν, Let us give attention: this he repeats several times, and after that the reader names the prophet, Isaiah, suppose, or any other; and before he begins to read, he also cries aloud, Τάδε λέγει Κύριος, Thus saith the Lord. So, again, in another place,[76] When the reader rises up and says, Thus saith the Lord; and the deacon stands up, and commands all men to keep silence, he does not say this to honour the reader, but God, who speaks to all by him. This enjoining of silence is spoken of by St. Ambrose[77] and others; but it differed from another act of the deacon's under the same name, *Silentium indicere*, which was calling upon the people to fall to their private prayers, of which we shall have occasion to say more in the next Book, chap. 1.

Sect. 9. At the naming of the Prophet or Epistle the people in some places said,

Mabillon observes,[78] That at the naming of the lessons out of the Prophets or Epistles, the people some-

[66] Cypr. Ep. 33. al. 38. ad Cler. Carthag. p. 75.

[67] Albaspin. Not. in Conc. Carthag. 3. can. 4.

[68] Conc. Carth. 3. can. 4. Ut lectores populum non salutent.

[69] Chrys. Hom. 18. in 2 Cor. p. 873. Hom. 3. in Colos. p. 1337 et 1338.

[70] Aug. Ep. 165. Quid autem perversius et insanius, quam lectoribus easdem Epistolas legentibus dicere, Pax tecum, et ab earum ecclesiarum pace separare, quibus ipsæ Epistolæ scriptæ sunt?

[71] Aug. de Civ. Dei, lib. 22. cap. 8. p. 1489. Procedimus ad populum, plena erat ecclesia, personabat vocibus gaudiorum: Deo gratias, Deo laudes.——Salutavi populum.——Facto tandem silentio, Scripturarum Divinarum sunt lecta solennia.

[72] Chrys. Hom. 33. in Matt. p. 318. Κοινῇ πᾶσι τὴν εἰρήνην ἐπιλέγομεν εἰσιόντες εὐθέως κατὰ τὸν νόμον ἐκεῖνον.

[73] Ibid. Hom. 36. in 1 Cor. p. 653.

[74] Ibid. Hom. 3. in Colos. p. 1338.

[75] Ibid. Hom. 19. in Act. Apost.

[76] Ibid. Hom. 3. in 2 Thess.

[77] Ambros. Præfat. in Psalmos. Quantum laboratur in ecclesia ut fiat silentium, cum lectiones leguntur, &c. Vid. Aug. de Civ. Dei, lib. 22. c. 8.

[78] Mabil. de Liturg. Gallic. lib. 1. cap. 2. n. 10.

Deo gratias, and Amen, at the end of it.

times said, *Deo gratias*, Thanks be to God, as it is in the Mozarabic liturgy. But we have little notice of this elsewhere. Only St. Austin says, it was a very common phrase among the monks[79] when they met a brother Christian, to say, *Deo gratias*, Thanks be to God; for which the Circumcellions, or *Agonistici*, as they called themselves, among the Donatists, were wont to insult them, though they themselves often used to say, *Deo laudes*, which in their mouth was more to be dreaded than the roaring of a lion. It appears also from the Acts of Eradius his election to be his successor, that it was a usual acclamation upon many other occasions; for as soon as he had nominated Eradius to be his successor, the people cried out for a long time together,[80] *Deo gratias, Christo laudes*, Thanks be to God, Praise be to Christ. What therefore was so common upon other occasions, might very probably be said by way of acclamation at the naming of the lessons of the Holy Scriptures. Grotius says,[81] it was also customary at the end of the Epistle for the people to answer Amen; and that hence it was, that at the end of all St. Paul's Epistles the word, Amen, was added by the church. I know not upon what grounds he asserts this, and therefore I shall let it rest upon the authority of that learned man, without affirming or denying his assertion.

Sect. 10. At the reading of the Gospel all stood up, and said in some places, Glory be to thee, O Lord.

At the reading of the Gospel it was a general custom for all the people to stand up: and some of the middle-age ritualists take notice of their saying, Glory be to thee, O Lord, at the naming of it. The author of the homily De Circo vel Hippodromo,[82] under the name of St. Chrysostom, says, When the deacon goes about to read the Gospel, we all presently rise up, and say, Glory be to thee, O Lord. But as that homily is known to be none of Chrysostom's, we cannot certainly say it was the custom in his days. But the custom of rising up at the reading of the Gospel is certainly as old as Chrysostom; for he speaks of it in one of his homilies on St. Matthew:[83] If the letters of a king are read in the theatre with great silence; much more ought we to compose ourselves, and stand up with attentive ears, when the letters not of an earthly king, but of the Lord of angels, are read to us.

The author of the Constitutions[84] mentions the same: When the Gospel is read, let the presbyters and deacons and all the people stand with profound silence. And so Isidore of Pelusium:[85] When the true Shepherd appears at the opening of the holy Gospels, then the bishop himself rises up, and lays aside his pastoral habit or authority, signifying thereby, that then the Lord himself, the author of the pastoral function, his God and his Master, is present. This was every where observed, except at Alexandria, where it is noted by Sozomen[86] as a singular thing in that church, that the bishop did not use to rise up when the Gospel was read. And Cassian[87] observes it as no less singular in the monks of Egypt, that, excepting the reader, who always stood up, the rest sat upon low seats both when the Psalms and the lessons out of the Old or New Testament were reading; which was only indulged them because of their excessive watchings, and fastings, and labours. In other places, sitting at the Gospel was reckoned a corruption and abuse: insomuch that Philostorgius tells us,[88] That Theophilus, the Arian bishop, who went to the Indies, corrected it as an indecency that had crept in there against the rules of the church. And Anastasius did the same at Rome, as is said in his Life by the author of the Pontifical;[89] for he made a decree, that as often as the holy Gospels were read, the priests should not sit, but stand in a bowing posture. In Africa, the general custom was not only to stand at the Gospel, but at all the other lessons out of Scripture: for they gave equal honour to every part of the word of God, insomuch as that their sermons and homilies, and whatever was rehearsed in the church, was heard standing, as we shall see more in the next chapter. Here it will be sufficient to observe, that Cyprian's readers not only stood up to read, but that all the people stood about them when they read the Scriptures.[90] And in St. Austin's time the custom was the same: for he says,[91] the longest lessons were then heard by all sorts and sexes standing, except only such as through some infirmity in their feet or weakness of body were disabled, who upon that account were

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79 Aug. in Psal. cxxxii. p. 630. A quibus plus timetur, Deo laudes, quam fremitus leonis, hi etiam insultare nobis audent, quia fratres, cum vident homines, Deo gratias, dicunt.

80 Aug. Ep. 110. de Actis Eradii. A populo acclamatum est trigesies sexies; Deo gratias, Christo laudes.

81 Grot. Annot. in Philem. ver. 25.

82 Chrys. Hom. 52. de Circo, t. 6. p. 491.

83 Chrys. Hom. 1. in Matt. p. 11.

84 Constit. lib. 2. cap. 57.

85 Isidor. Pelus. lib. 1. Ep. 136. 86 Sozom. lib. 7. cap. 19.

87 Cassian. Instit. lib. 2. cap. 12.

88 Philostorg. lib. 3. c. 5.

89 Pontifical. Vit. Anastas. Hic constituit, ut quotiescunque sancta Evangelia recitarentur, sacerdotes non sederent, sed curvi starent.

90 Cypr. Ep. 34. al. 39. p. 78. In loco altiore constitui oportet, ubi ab omni populo circumstante conspecti, &c.

91 Aug. Hom. 26. ex 50. t. 10. p. 174. Quando passiones prolixæ aut certe aliquæ lectiones longiores leguntur, qui stare not possunt, humiliter et cum silentio sedentes, attentis auribus audiant quæ leguntur, &c. Note, that this homily is by Mabillon, and the Benedictins, in their new edition, ascribed it to Cæsarius Arelatensis: if it be his, it proves the custom of standing to hear the lessons, to have been according to the usage of the French churches

indulged sitting, but no others whatsoever. Bona[92] thinks there was no certain answer made when the Gospel was ended. For some said only, Amen, as it is in the Mozarabic liturgy, and the Rule of St. Benedict. Which Alexander Hales interprets the same as saying, God grant we may persevere in the doctrine of the gospel. Others said, *Deo gratias*, Thanks be to God; and others, *Laus tibi Christe*, Praise be to thee, O Christ. But all this is said only out of the middle-age writers, whilst there is a perfect silence as to this matter in the more ancient writers of the church.

Sect. 11. Lights carried before the Gospel in the Eastern churches.

There was one ceremony more ancient, which St. Jerom makes peculiar to the Eastern churches, which was the carrying lights before the Gospel when it was to be read. He says,[93] They had no such custom in the Western church, either as burning candles by day at the monuments of the martyrs, (as Vigilantius falsely accused them,) nor at any other time, save only when they met in the night, to give light to their assemblies: but in the Eastern church it was otherwise; for without any regard to the relics of the martyrs, whenever the Gospel was read, they lighted candles, partly to demonstrate their joy for the good news which the Gospel brought, and partly by a corporeal symbol to represent that light of which the psalmist speaks, "Thy word is a lamp to my feet, and a light unto my paths." I know no other author beside St. Jerom that mentions this, and as far as his authority will prevail it may be credited, and no further. Dr. Cave judges[94] it might not be much older than his time: however it was, it is no argument to patronize the burning of lamps and wax candles, without the same reason, in churches at noon-day.

Sect. 12. Three our four lessons sometimes read out of the Gospels on the same day.

It is further observable, that in some churches, upon some solemn occasions, they had three or four lessons read out of the Gospels on the same day. St. Austin says,[95] he would have had four lessons read out of the four Gospels on the day of our Saviour's passion; but the people were disturbed at it, as what they had not been accustomed to, so he was forced to wave it. But the custom prevailed in the French churches. For in the old Lectionarium Gallicanum, published by Mabillon, the lessons of several festivals are thus appointed: On the feast of Epiphany, there is one lesson out of St. Matthew ii. for morning service, and three more out of Matthew, Luke, and John, for the communion service. So on the *parasceve*, or day of our Saviour's passion, there is one lesson of the Gospel for morning service, another for the second, another for the third, another for the sixth, another for the ninth hours of prayer,[96] collected out of the four Gospels by way of harmony or *catena*. Whence we may observe, that the old Gallican liturgy (from whence our English service is thought chiefly to be derived, and not from the Roman,[97] by learned men) had distinct offices for morning and communion service, and distinct Gospels for each service on solemn days, as ours now has for all the festivals, which probably were designed at first for distinct offices, though they are now commonly read together in the greatest part of our churches.

Sect. 13. Of longer and shorter lessons, and their distinct use, according to Durantus.

There is another distinction made by some between the longer and shorter lessons. The longer lessons are said[98] by Durantus to be used at the long nocturnal or *antelucan* service, and the lesser at the other canonical hours of prayer. So that this distinction could have no place till the canonical hours were settled in the church; which was not till the fourth or fifth century, as has been showed in another place.[99] Radulphus Tungrensis,[100] whom Durantus cites, speaks somewhat of this distinction in his time, and says the lesser sort of lessons were called vulgarly, *capitula*, chapters, and designed for the praise of God. Which makes it more probable, that these lesser lessons were no other than the Psalms, or antiphonal hymns collected out of the Psalms, for the service of the several hours of devotion. Which are expressly called *capitella de Psalmis*, chapters out of the Psalms, by the council of Agde,[101] and were the same as antiphonal hymns, collected out of the Psalms, and to be said alternately by way of responses. So that, whatever may be said of the middle ages, there seems to be no ground for this distinction of greater and lesser lessons in the ancient service, save only as we take the reading of the Psalms for lessons of Scripture.

Sect. 14. What might or might not be read by way of lessons in the church.

It is true, indeed, St. Austin, in one of his homilies,[102] which Mabillon and the Benedictins in their late edition ascribe to Cæsarius, bishop of Arles,

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[92] Bona, Rer. Liturg. lib. 2. cap. 7. n. 4.

[93] Hieron. cont. Vigilant. cap. 3. Cereos autem non clara luce accendimus, sicut frustra calumniaris, sed ut noctis tenebras hoc solatio temperemus——Absque martyrum reliquiis per totas Orientis ecclesias, quum legendum est Evangelium, accenduntur luminaria jam sole rutilante, non utique ad fugandas tenebras, sed ad signum lætitiæ demonstrandum, &c.

[94] Cave, Prim. Christ. lib. 1. c. 7. p. 203.

[95] Aug. Serm. 141. de Tempore, p. 320.

[96] Vid. Mabillon. de Liturg. Gallic. p. 116. et 134.

[97] Vid. Stillingfleet, Orig. Britan. chap. 4.

[98] Durant. de Ritib. lib. 3. cap. 18. n. 4 et 5.

[99] Book XIII. chap. 9. sect. 8.

[100] Radulph. de Canon. Observant. Propos. 8 et 13.

[101] Conc. Agathen. can. 30. In conclusione matutinarum vel vespertinarum et missarum, post hymnos capitella de Psalmis dici, &c.

[102] Aug. Hom. 26. ex 50. quæ est Hom. 300. in Appendice Edit. Benedictin.

speaks of longer and shorter lessons; but it is not in relation to the long morning service, and the shorter service of the canonical hours, but upon a quite different occasion. For there it is supposed, that besides the lessons of Scripture, sometimes other lessons were read out of the homilies of the fathers, or the acts of the martyrs, which, because they were sometimes very prolix, an indulgence was therefore granted to infirm persons to sit down to hear them read. And this leads us to a new observation and further remark upon the ancient practice, that in some churches, at least, other things were allowed to be read by way of lesson and instruction, besides the canonical Scriptures, such as the passions of the martyrs on their proper festivals, and the homilies of the fathers, and the epistles and tracts of pious men, and the letters communicatory of one church to another, with other things of the like nature. That the passions of the martyrs were sometimes read among the lessons in the church, appears not only from the foresaid homily of Cæsarius or St. Austin, but from a rule made in the third council[103] of Carthage, which forbids all other books to be read in the church besides the canonical Scripture, except the passions of the martyrs on their anniversary days of commemoration. Eusebius probably collected[104] the passions of the martyrs for this very purpose; as Paulinus, bishop of Nola, did after him, which Johannes Diaconus[105] says were used to be read in the churches. Thus Gelasius[106] says the Acts of Pope Sylvester were read in many of the Roman churches, though not in the Lateran, because they were apocryphal, and written by an unknown author. And Mabillon[107] gives several other such instances out of Avitus and Ferreolus; and in the old Lectionarium Gallicanum, which he published, there are frequently lessons appointed out of St. Austin and others upon the festivals of St. Stephen, and the Holy Innocents, and Julian the martyr, on Epiphany, and the festivals of St. Peter and St. Paul. Whence some learned men[108] conjecture, not improbably, that such sort of histories and passions of the martyrs had particularly the name of *legenda*, legends: for though now that name be commonly taken in a worse sense, for a fabulous history, because many lives of saints and martyrs were written by the monks of later ages in a mere fabulous and romantic way, yet anciently it had a good signification, and in its original use denoted only such acts and monuments of the martyrs as were allowed by authority to be read in the church. The curious reader may find frequent references made by St. Austin in his homilies[109] to such lessons read out of the passions of the martyrs on their anniversary days in the church, as also in the homilies of Pope Leo[110] and others, which it is needless to recite in this place.

But besides the passions of the martyrs, and homilies relating to them, there were also many other pious books read by way of moral exhortation in many churches. Thus Eusebius[111] says, the book called Hermes Pastor was anciently read in the church. He says the same of Clemens Romanus's first Epistle[112] to the Corinthians, that it was read in many churches, both in his own time, and the ages before him. And Dionysius, bishop of Corinth,[113] says, They read not only that epistle of Clemens, but another written by Soter, bishop of Rome, which they would always continue to read. Sozomen says,[114] The book called the Revelations of Peter was read once a year, on Good Friday, in many of the churches of Palestine. Athanasius[115] testifies the same of the book called Διδαχὴ Ἀποστόλων, The Doctrine of the Apostles. And St. Jerom[116] says, The homilies of Ephrem Syrus were in such honour as to be read in the church after the reading of the Scriptures. St. Austin[117] assures us, That the Acts of the Collation of Carthage were read always in the church in Lent. And in one of his epistles,[118] he desires of Marcellinus Comes, that the Acts of the Trial of the Donatists, who were convict of the murder of the catholics, might be sent him, to be read in all the churches of his diocese. And it is remarkable, that in the accounts we have of the burning of the Bible in the Dioclesian persecution, there is sometimes mention[119] made of burning the salutary or communicatory letters, which were sent from one church to another. St. Austin adds further, That when any one received a signal mercy from God, the relation of it was many times[120] read publicly in the church. Of which he

[103] Conc. Carth. 3. can. 47. Liceat legi passiones martyrum cum anniversarii eorum dies celebrantur.

[104] Euseb. lib. 5. cap. 4. speaks of these collections.

[105] Joan. Diac. Præfat. ad Vit. Gregor. Magni.

[106] Gelas. Decret. ap. Crab. Conc. t. 1. p. 992.

[107] Mabil. de Cursu Gallicano, p. 403 et 407.

[108] Vid. Chamier. Panstratia, t. 1. de Canon. Script. lib. 1. cap. 4. n. 1. p. 101.

[109] Vid. Aug. Serm. 12. de Sanctis, p. 408. Serm. 45. de Diversis, p. 508. Item, Serm. 63. p. 553. Serm. 93. p. 564. Serm. 101, 103, 105, 109. de Diversis.

[110] Leo. Serm. de Maccabæis.

[111] Euseb. lib. 3. cap. 3. Hieron. de Scriptor. cap. 10.

[112] Euseb. lib. 3. cap. 16.

[113] Ap. Euseb. lib. 4. cap. 23. [114] Sozom. lib. 7. cap. 19.

[115] Athan. Ep. ad Ruffin. t. 2. p. 39.

[116] Hieron. de Scriptor. cap. 115.

[117] Aug. de Gestis cum Emerito, t. 7. p. 215.

[118] Aug. Ep. 158. Gesta quæ promisit præstantia tua, vehementer expecto, et in ecclesia Hipponensi jam jam cupio recitari, ac si fieri potest, per omnes ecclesias etiam in nostra diœcesi constitutas.

[119] Gesta Purgationis Felicis et Cæciliani, ad calcem Optati, p. 276. Inde cathedram tulimus, et epistolas salutatorias, et ostia omnia comburimus secundum sacrum præceptum.

[120] Aug. de Civ. Dei, lib. 22. cap. 8. p. 1489. Libelli eorum, qui beneficia percipiunt, recitantur in populo, &c.

gives several instances in his own and other churches of Africa. And St. Chrysostom says, sometimes the emperor's letters[121] were read in the church, and heard with great attention, which he urges as an argument, why men should hear with reverence the writings of the prophets, because they come from God, and their epistles are from heaven. Such circular epistles also as were sent from one church to another, to notify the time of keeping Easter, (which were called *heortastical* or festival epistles,) were generally published[122] in their churches: but these I mention not as lessons, but only hint the custom incidentally, corresponding to that of our reading briefs for charity, or the circular letters of bishops, or notifying holidays, or bans of marriage, or things of the like kind relating to the public.

Sect. 15. Those which we now call apocryphal books were anciently read in some churches, but not in all.

As to those books which we now call apocryphal, they were read in some churches, but not in all. For in the church of Jerusalem they were utterly forbidden, as appears plainly from Cyril's Catechisms, where he directs[123] the catechumens to read no apocryphal books, but only such books as were securely read in the church: and then he specifies what books were then read in the church, viz. all the canonical books which are now in our Bibles, except the Revelation, without any mention at all of the apocryphal books; which is a certain argument that they were not allowed to be read in the church of Jerusulem, as I have more fully demonstrated in another place.[124] The like determination was made for some other churches by the council of Laodicea,[125] which forbids all but the canonical books to be read in the church, and likewise specifies what she means by canonical books, viz. Genesis, Exodus, Leviticus, Numbers, Deuteronomy, Joshua, Judges, Ruth, Esther, four books of Kings, two of Paralipomena or Chronicles, two of Esdras, The book of one hundred and fifty Psalms, Proverbs, Ecclesiastes, Canticles, Job, twelve Prophets, Isaiah, Jeremiah, Lamentations and Epistles of Baruch, Ezekiel, Daniel, the four Gospels, The Acts of the Apostles, the seven Catholic Epistles, fourteeen Epistles of St. Paul. Where none of the apocryphal books, nor the Revelation, are mentioned, which is a plain evidence that none of them were read in the churches of that district. After the same manner the author of the Constitutions,[126] giving orders about what books of the Old Testament should be read in the church, mentions the five books of Moses, and Joshua, and Judges, Kings, Chronicles, Ezra, and Nehemiah, (which he means by the histories of their return from Babylon,) the books of Job and Solomon, the sixteen Prophets, and the Psalms, but says nothing of any of the apocryphal books; which argues, that he did not find them to be read in the rituals of those churches whence he made his collections.

However, in other churches they were allowed to be read[127] with a mark of distinction, as books of piety and moral instruction, to edify the people; but they neither gave them the name of canonical books, nor made use of them to confirm articles of faith. This is expressly said by St. Jerom. And Ruffin,[128] who was presbyter of Aquileia, delivers the same as the ancient tradition and practice of that church, when these books were neither reckoned canonical, nor yet in the worst sense apocryphal, but called ecclesiastical, because they were read in the church, but not used to confirm matters of faith. Among these he reckons the Wisdom of Solomon, and Ecclesiasticus, and Tobit, and Judith, and Maccabees, and Hermes Pastor, and the book called the Two Ways, or the Judgment of Peter. Athanasius[129] also ranks these books, not among the canonical, but among those that might at least be read to or by the catechumens, among which he reckons Wisdom, and Ecclesiasticus, and Tobit, and Judith, and Esther, and the Doctrine of the Apostles, and the Shepherd, that is, Hermes Pastor. So in the Lectionarium Gallicanum, published by Mabillon, there are lessons appointed out of Tobit, and Judith, and Esther, particularly in the Rogation Week, for several days together.

Sect. 16. And in some churches, under the title of canonical Scripture, taking that word in a larger sense.

In some churches these books were also read under the general name of canonical Scripture, taking that word in a large sense, for such books as were in the rule, or canon, or catalogue of books authorized to be read in the church. Thus at least we must understand the canon of the third council of Carthage,[130] which ordered that

[121] Chrys. Hom. 3. in Thes. p. 1501.

[122] Vid. Cassian. Collat. 10. cap. 2.

[123] Cyril. Catech. 4. n. 22. p. 66 et 67.

[124] Book X. chap. 1. sect. 7.

[125] Conc. Laodic. can. 59.

[126] Constit. lib. 2. cap. 57.

[127] Hieron. Præfat. in Libros Salomonis. Sicut ergo Judith et Tobiæ et Macchabæorum libros legit quidem ecclesia, sed eos inter canonicas Scripturas non recipit: sic et hæc duo volumina (Sapientiam et Ecclesiasticum) legit ad ædificationem plebis, non ad auctoritatem ecclesiasticorum dogmatum confirmandam.

[128] Ruffin. in Symbolum, ad calcem Cypriani. Oxon. p. 26. Sciendum tamen est, quod et alii libri sunt, qui non canonici, sed ecclesiastici a majoribus appellati sunt: ut est Sapientia Solomonis, et alia Sapientia quæ dicitur Filii Syrach.——Ejusdem ordinis est libellus Tobiæ, et Judith, et Maccabæorum libri. In Novo vero Testamento libellus, qui dicitur, Pastoris sive Hermatis, qui appellatur, Duæ Viæ, sive Judicium Petri; quæ omnia legi quidem in ecclesiis voluerunt, non tamen proferri ad auctoritatem ex his fidei confirmandam.

[129] Athan. Ep. Heortastic. ad Ruffin. t. 2. p. 39. It. Synops. Scriptur. ibid. p. 55.

[130] Conc. Carth. 3. can. 47. Præter Scripturas canonicas nihil in ecclesia legatur sub nomine Divinarum Scripturarum. Sunt autem canonicæ Scripturæ, id est, Genesis, &c. Salomonis libri quinque——Tobias, Judith, Hester, Esdræ libri duo, Maccabæorum libri duo.

nothing but the canonical writings should be read in the church under the name of the Divine Scriptures, among which canonical Scriptures there are reckoned Wisdom and Ecclesiasticus, under the name of Solomon, together with Tobit, Judith, Hester, and the Maccabees. St. Austin seems to have followed this canon, making all these books canonical, but giving preference to some above the other, as they were more or less generally received by the churches. In his book of Christian Doctrine[131] he calls all the apocryphal books canonical, but he does not allow them so great authority as the rest, because they were not generally received as such by the churches. He says the Books[132] of Wisdom and Ecclesiasticus were none of Solomon's, but yet received into authority by the Western church. By which he must mean the Roman church, where Pope Innocent had received them.[133] For in the Eastern church their canonical authority was always rejected: and in many of the Western churches; for neither Ruffin at Aquileia, nor Philastrius at Brixia in Italy,[134] nor Hilary at Poictiers in France,[135] grant them any authority in the canon of Scripture. Nay, Hilary of Arles[136] expressly told St. Austin, that the churches of France were offended at him, because he had used a proof out of the Book of Wisdom, which was not canonical. And it is remarkable, that at Rome itself Gregory the Great, having occasion to quote a text out of Maccabees, makes a prefatory excuse for alleging a text out of a book that was not canonical,[137] but only published for the edification of the church. And even St. Austin himself,[138] in answer to the French divines, pleads no further for the Divine authority of the Book of Wisdom, which he had cited as canonical, but that it was so received by the Christians of Africa before him; which, by his own rule laid down before in his book of Christian Doctrine, did not make it in the highest sense canonical, because it was rejected by all the churches of the East, and a great part of the West, from the authority of canonical Scripture. So that though these books were read in the African church under the name of canonical Scripture, yet they were not esteemed of equal authority with the rest, because they were reputed by all the world besides as apocryphal, or, as some call them, ecclesiastical only, being such as were allowed to be read in the church for moral instruction and edification, but not used to confirm articles of faith. And this is the account which Cajetan himself gave of the practice of the church, before the council of Trent defined a new canon of Scripture. He says, They are not[139] canonical, that is, regular, to confirm articles of faith: yet they may be called canonical, that is, regular, for the edification of the people, as being received and authorized in the canon of the Bible only for this end. And with this distinction he thinks we are to understand both St. Austin and the council of Carthage, all whose sayings are to be reduced to the rule of St. Jerom. But if any think that St. Austin or the African church meant more, it may be said, their authority is of no weight against the general consent of the whole church in all ages besides, from the first settling of the canon down to the council of Trent; the proof of which consent is so fully and unanswerably made out by Bishop Cosins, in that excellent book, called his Scholastical History of the Canon of Scripture, where he produces the testimonies of the writers of every age distinctly in their order, that little more can be added to it,[140] and it is wholly needless to detain the reader upon

[131] Aug. de Doctrin. Christ. lib. 2. cap. 8. Tenebit hunc modum in Scripturis canonicis, ut eas quæ ab omnibus accipiuntur ecclesiis, præponat eis quas quædam non accipiunt. In eis vero quæ non accipiuntur ab omnibus, præponat eas quas plures gravioresque accipiunt, eis quas pauciores minorisque authoritatis ecclesiæ tenent.

[132] Aug. de Civ. Dei, lib. 17. cap. 20. Non esse ipsius, non dubitant doctiores, eos tamen in authoritatem maxime Occidentalis antiquitus recepit ecclesia.

[133] Innocent. Ep. 3. ad Exuper. cap. 7.

[134] Philastr. de Hæres. cap. 40. de Apocryphis. Et cap. 9.

[135] Hilar. Præfat. in Psalmos.

[136] Ibid. Arelat. Epist. ad Aug. inter Oper. Aug. t. 7. p. 545. Illud etiam testimonium quod posuisti, raptus est ne malitia mutaret intellectum ejus, tanquam non canonicum definiunt omittendum.

[137] Greg. Magn. Moral. in Job. lib. 19. cap. 13. Qua de re non inordinate agimus, si ex libris licet non canonicis, sed tamen ad ædificationem ecclesiæ æditis, testimonium proferamus.

[138] Aug. de Prædestin. lib. 1. cap. 14. t. 7. p. 553. Non debuit repudiari sententia libri Sapientiæ, qui meruit in ecclesia Christi de gradu lectorum ecclesiæ Christi tam longa annositate recitari, et ab omnibus Christianis, ab episcopis usque ad extremos laicos, fideles, pœnitentes, catechumenos, cum veneratione Divinæ authoritatis audiri.

[139] Cajetan. in fine Comment. in Histor. Vet. Test. Ad Hieronymi limam reducenda sunt tam verba conciliorum quam doctorum. Et juxta illius sententiam libri isti non sunt canonici, id est, regulares, ad firmandum ea quæ sunt fidei: possunt tamen dici canonici, id est, regulares, ad ædificationem fidelium, utpote in canone Bibliæ ad hoc recepti et authorati. Cum hac distinctione discernere poteris dicta Augustini et scripta in provinciali concilio Carthaginensi.

[140] To the testimonies cited by Bishop Cosins, the learned reader may add this of Franciscus Georgius Venetus, a Franciscan, who lived a little before the Reformation: Problem. in Scriptur. t. 6. sect. 5. Problem. 184. Par. 1622. 4to. Cur Raphael venit in comitatum Tobiæ? Respond. Quamvis historia sit sine certo auctore, nec in canone habeatur, tamen quia admittitur legenda in ecclesia tanquam vera, hujus quoque rei rationem assignare conabimur. Here he plainly rejects the Book of Tobit out of the canon, and speaks of it no otherwise than as of a common history, which was allowed to be read in the church. Which words are so displeasing to the curators of the Roman Index Expurgatorius, that they order it to be struck out, with many other passages of the same author, where he reflects on the Vulgar

that subject; it being sufficient to our present purpose, to have observed, that these books of controverted authority were read, either under the name of apocryphal, or ecclesiastical, or canonical, in most of the ancient churches.

Sect. 17. A short account of the translations of Scripture used in the ancient church.

There is one thing more, which it will not be improper to give a short account of, before we put an end to this chapter; that is, of the translations of Scripture that were commonly used in the ancient church. I mean not here to prove again (what has been abundantly done before in the last Book) that the Scriptures were translated and read in the vulgar language in every church; but the thing I would observe in this place, is only this: that they generally read the translations of the Septuagint, where Greek was the vulgar language, or else such translations into other languages, as were derived from it. For they had no translation of the Bible from the Hebrew, till the time of St. Jerom, in the Latin church, but only such as were made from the Greek translation of the Septuagint. The Septuagint was used all over the Greek church, except perhaps that part of Syria where Syriac was the most vulgar language, that is, in Osdroene and Mesopotamia, where they had a Syriac translation made from the Hebrew not long after the time of the apostles. This was called the Old Translation, in opposition to another, which was made from the Septuagint in after ages. In all other parts of the East the Septuagint was the common translation. But this by tract of time and variety of copies was much corrupted, upon which account it was revised and corrected by several learned men, which laboured in this work, particularly by Origen and Hesychius the Egyptian, and Lucian of Antioch, two martyrs who suffered in the Diocletian persecution. Hence, as St. Jerom[141] informs us, there came to be three famous exemplars or editions of the Septuagint used in the Eastern churches. Alexandria and Egypt followed the copy revised by Hesychius. Constantinople and all the Asiatic churches as far as Antioch used that of Lucian. The churches of Palestine and Arabia read the copy corrected by Origen, and published by Eusebius and Pamphilus. And so between these three editions, the whole world was divided. Origen did two things further in this matter. First, He published an edition of the Bible, which he called his Hexapla, because it was in six columns: the first was the Hebrew in Hebrew characters,[142] the second the Hebrew in Greek characters, the third the translation of Aquila the Jew, the fourth the translation of Symmachus, the fifth the translation of the Septuagint, and the sixth the translation of Theodotion the Ebionite. To these he afterward added two other translations found at Nicopolis and Jericho, and these made up his Octapla. And in process of time, he published another lesser edition, containing only the four translations, of the Septuagint, Aquila, Symmachus, and Theodotion, which he called his Tetrapla. Secondly, He published the Septuagint with the additions of Theodotion mixed with it, to supply the places where it was defective, which additions he marked with an asterisk to distinguish them; and such places as were redundant in the Septuagint, and not to be found in the Hebrew, nor in Theodotion, he also marked with an obelisk or straight line for distinction also. But this mixing of the two translations together in process of time occasioned some confusion, and St. Jerom complains of it[143] as a bold undertaking, and therefore he set about a new edition and translation[144] of the Septuagint for the use of the Latin church. Hitherto all churches used the translation of the Septuagint, except the Syrian churches, as was said before, and except on the Book of Daniel, which in all churches was read according to the translation of Theodotion, as the same St. Jerom informs us in several places,[145] particularly in his preface upon Daniel,[146] because, by some means or other, the Septuagint translation of that book was more corrupt than any other part of Scripture. But there were abundance of faults in that translation in other places, partly by the design of the interpreters, (who added some things of their own, and left out others, and often changed the sense at pleasure, especially in texts that had any relation to the holy Trinity, as St. Jerom shows at large in his preface upon the Pentateuch, where he exposes the story of their having distinct cells, and their being esteemed inspired writers,) and partly from the great variety of copies, and the great corruptions that were crept into them by the ignorance or negligence of transcribers; and this both in the Septuagint copies themselves, and the Latin translations that were made from them. Upon this account St. Jerom, by the in-

translation as corrupt and false, and corrects its errors from the original Hebrew, of which he was a considerable master, though in other things he had his failings. Vid. Index Libror. Prohibitorum et Expurgandorum, per Sotomajor. p. 417. Madriti, 1667. fol.

[141] Hieron. Præfat. in Librum Paralipomenon. Alexandria et Ægyptus in Septuaginta suis Hesychium laudat auctorem. Constantinopolis usque Antiochiam Luciani martyris exemplaria probat. Mediæ inter has provinciæ Palæstinos codices legunt, quos ab Origene elaboratos Eusebius et Pamphilus vulgaverunt: totusque orbis hac inter se veritate compugnat.

[142] Vid. Euseb. lib. 6. cap. 16.

[143] Hieron. Præfat. in Paralipom.

[144] Ibid. Præfat. in Josue.

[145] Ibid. Præfat. in Josue. It. Com. in Daniel. 4. et Apolog. 2. cont. Ruffin.

[146] Hieron. Præfat. in Daniel. Danielem prophetam juxta Septuaginta interpretes Domini Salvatoris ecclesiæ non legunt, utentes Theodotionis editione: et hoc cur acciderit nescio.——Hoc unum affirmare possum, quod multum a veritate discordet, et recto judicio repudiatus sit.

stigation of Chromatius and Heliodore, and other pious bishops of the Latin church, set about a translation of the Psalms and Old Testament from the original Hebrew: but this met with great opposition for some time; for though many applauded it, and read it in the churches, yet others opposed it, and Ruffin and others bitterly inveighed against it, as reflecting on the church, which had used and recommended the Septuagint, and the translations made from it, ever since the time of the apostles. St. Austin[147] himself dissuaded him from the undertaking, and when it was finished, he would not suffer it to be read in his diocese for fear of giving scandal to the people; telling him, further,[148] what a tumult had been raised in one of the churches of Africa, by a bishop's introducing his translation, which he was forced to lay aside again for fear all his people should have deserted him. But in other places it met with a kinder reception; for by degrees it came to be used by learned men in their expositions. Gregory the Great makes use of both translations,[149] calling St. Jerom's the New Translation, and the other the Old; which was otherwise called the Itala, and Vulgata, and Communis, because it was the most common and vulgar translation used in all the Latin and Italic churches. The present Vulgar Latin translation is supposed by learned men neither to be the ancient Vulgar, nor St. Jerom's New one, but a mixture of both together.[150] The Psalms, in the present Vulgar, are not from the Hebrew, but are of St. Jerom's Translation from the Septuagint of Lucian's Emendation. The other books come nearer the Hebrew than they do to the Septuagint, which shows that they have something of St. Jerom's Translation. But the Psalms were always read at Rome according to the Old Version, and continued so to be used till Pope Pius V. ordered St. Jerom's Version, with Emendations from the Septuagint, to be put in its place. And so the Old Translation of the Psalms came to be called the Roman Psalter; and St. Jerom's New Translation, the Gallican Psalter, because it was immediately received in the Gallican church. This is observed both by Mabillon[151] and Bona,[152] out of Berno Augiensis and Strabo, who say, The French and Germans took the New Translation of the Psalms corrected from the Septuagint by St. Jerom, whilst the Romans continued to use the old Vulgar corrupt edition: which is still read in the Vatican church at Rome, and the Ambrosian church at Milan, and St. Mark's at Venice: and Bona is so free as to say, he thinks it had been more for the honour and benefit of the church to have kept still to the Old Version of the Psalter, since now there is a great disagreement between the Breviary and the Missal, whilst the same Psalms are sung different ways,[153] in the Missal according to the Old Translation, and in the Breviary according to the New one: which he speaks of as a mistake, but tenderly, because though it was a deviation from the old rule observed in Gregory's Sacramentarium, and the Missa Mozarabica, and the Ambrosian Liturgy, yet it was Pope Pius's order that made the correction.

I might here have added several other things relating to the ancient way of dividing the several books of Scripture into chapters, and verses, and canons, and sections, and sub-sections, very much differing from the present way of dividing them into chapter and verse: but because observations of this kind are very intricate of themselves, and have no relation to the service of the church, which is the subject in hand, I shall omit them here, with many other miscellany rites of the same nature, which will be more proper to be explained in a critical discourse by themselves; and now proceed to the next part of the service of the church in the *missa catechumenorum*, which was the sermon or homily, immediately after the reading of the Psalms and other Scriptures, before any prayers were made either for particular orders of men, such as catechumens, energumens, penitents, &c., or for the general state of Christ's church.

CHAPTER IV.

OF PREACHING, AND THE USAGES RELATING TO IT, IN THE ANCIENT CHURCH.

Sect. 1. All sermons anciently called homilies, disputations, allocutions, *tractatus*, &c.

IMMEDIATELY after the reading of the Psalms and lessons out of the Scriptures, before the catechumens were dismissed, followed the sermon, which the bishop, or some other appointed by him, made to the people. This being done in the presence of the catechumens, was therefore usually reckoned a part of the *missa catechumenorum*, or ante-communion service. Such discourses were commonly termed homilies, from the Greek ὁμιλίαι, which signifies indifferently any discourse of instruction to the people, whether composed by the preacher himself, or read out of a book composed by another; though we now generally restrain it to the latter sense in our modern way of speaking. Among the

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[147] Aug. Ep. 19. ad Hieron. [148] Aug. Ep. 10. ad Hieron.

[149] Greg. M. Ep. ad Leandr. ante Moral. in Job. et lib. 20. Moral. cap. 3.

[150] Vide Walton. Prolegom. 10. n. 9.

[151] Mabil. de Cursu Gallicano, p. 396.

[152] Bona, Rer. Liturg. lib. 2. cap. 3. n. 4.

[153] Bona, ibid. n. 5. Hæc autem dissonantia, ablato nunc Veteri Psalterio, sæpe occurrit. Cæterum ista hoc loco notare libuit, non ut quenquam carperem, sed ne prisca ecclesiæ disciplina ignoraretur.

Latins, they were frequently called *tractatus*, as appears from many passages of Cyprian, Optatus, St. Ambrose, St. Austin, St. Jerom, Gaudentius, Chrysologus, and many others collected by Ferrarius,[1] which I think it needless to recite. Only I shall observe one thing, that this word signifies any exposition or handling of Scripture, as well by way of writing, as preaching: and in both senses the *tractatores*, the preachers and expositors of Scripture, were opposed to the *canonici et authentici*, the prophets, evangelists, and apostles, who wrote by inspiration, and whose authority was absolutely infallible and authentic; which could not be said of any expositors, however excellent or learned, who dictated their thoughts without any such peculiar assistance. This distinction is often inculcated by St. Austin: I confess, says he, writing to St. Jerom,[2] I have learned to pay this reverence and honour only to those books of Scripture which are called canonical, that I most firmly believe none of the authors of them was guilty of any error in writing. And if I find any thing in those books which seems contrary to truth, I make no doubt but that it is either a corruption of the copy, or that the translator did not hit the sense, or that I myself do not understand it. But I read all others with this caution and reserve, that however eminent they be for piety and learning, I do not believe what they say to be true merely because it was their opinion; but because they persuade me either by those canonical authors, or by probable reason, which carries the appearance of truth. So again, in his book De Catechizandis Rudibus,[3] he distinguishes the inspired writers, by the name of canonical, from all others, whom he calls tractators and expositors of Scripture. As Claudianus Mamertus speaks[4] of all expositors under the name of tractators, but of the holy penmen themselves under the title of authentics. St. Austin[5] and St. Jerom[6] often speak of preaching under the name of disputations. Tertullian[7] calls them allocutions; dividing the whole service into these four parts, reading the Scriptures, singing the Psalms, making allocutions, and sending up prayers. Among the Greeks they are frequently called λόγοι, which answers to the Latin word *sermones*, and the English sermons. The most ancient name is that of *evangelium*, and εὐαγγελίζεσθαι, appropriated more peculiarly to the preaching of the apostles; and therefore seldom or never ascribed to any others by ecclesiastical writers. A more general name in Scripture, is that of διδασκαλία, doctrine and teaching: whence preachers of the word are called διδάσκαλοι, doctors and teachers, by St. Paul, 1 Cor. xii. 28, 29, which Vincentius Lirinensis observes to be the same as *tractatores*[8] in after ages. St. Paul also uses the word κήρυγμα, for preaching, 1 Cor. ii. 4, and in many other places[9] of his Epistles. And so it is sometimes used by ecclesiastical writers after him. But we must carefully note, that more commonly the words κηρύσσειν and κήρυγμα among the Greeks, as also *prædicatio* and *prædicare* among the Latins, signify a very different thing, viz. that part of the deacon's office, which he performed as the common κῆρυξ or *præco* of the church, dictating the usual forms of prayer to the people, in which they were to join, and calling upon them as their guide and director in all other parts of Divine service. This I have had occasion to speak more largely of in a former Book,[10] where we have particularly considered the ordinary office of deacons, and showed, that they had no authority in ordinary cases either to preach, or consecrate the eucharist, or baptize, but whatever they did of this kind, was either in case of great necessity, or by special commission and direction. And therefore those ancient canons which speak of their predication,[11] are not to be understood of their preaching sermons, but of their proclaiming to the people such directions in performing Divine offices, as they were concerned to give them by virtue of their office, as the common heralds and criers of the church.

Sect. 2. Preaching the proper office of bishops and presbyters in ordinary cases, and not of deacons.

The deacons indeed, in cases of exigence, were allowed to read the homilies of the fathers, as they did the lessons of Scripture: which is the

[1] Ferrar. de Ritu Concion. lib. 1. cap. 1.

[2] Aug. Ep. 19. ad Hieron. cap. 1. Ego enim fateor charitati tuæ, solis eis Scripturarum libris qui jam canonici appellantur, didici hunc timorem honoremque deferre, et nullum eorum auctorem scribendo aliquid errasse firmissime credam. Ac si aliquid in eis offendero literis, quod videatur contrarium veritati: nihil aliud, quam vel mendosum esse codicem, vel interpretem non assequutum esse quod dictum est, vel me minime intellexisse, non ambigam. Alios autem ita lego, ut, quanta libet sanctitate doctrinaque præpolleant, non ideo verum putem, quia ipsi ita senserunt; sed quia mihi per illos auctores canonicos, vel probabili ratione, quod a vero non abhorreat, persuadere potuerunt.

[3] Aug. de Catechiz. Rudibus, cap. 8. t. 4. p. 298. Si libris ei persuasum esse videris, sive canonicis sive utilium tractatorum, &c.

[4] Mamert. de Statu Animæ, lib. 2. cap. 10. Sed nunc locus et tempus est, ut sicut a philosophis ad tractatores, a tractatoribus ad authenticos gradum consequar, ita,&c. It. lib. 1. cap. 2. Post authenticorum plurimos tractatores, &c.

[5] Aug. Tract. 89. in Joan. Confess. lib. 5. cap. 13. Hom. 50 et 81. de Diversis.

[6] Hieron. Ep. 22. ad Eustoch. cap. 15.

[7] Tertul. de Anima, cap. 9. Jam vero prout Scripturæ leguntur, aut Psalmi canuntur, aut adlocutiones proferuntur, aut petitiones delegantur, &c. So frequently in Gregory the Great the sermon is called simply, Locutio. Hom. 5, 9, 14, et 22. in Ezekiel.

[8] Vincent. Commonitor. cap. 40. Doctores, qui tractatores nunc appellantur.

[9] Vid. 1 Cor. i. 21. It. 1 Cor. xiv. 15; 2 Tim. iv. 17; Tit. i. 3.

[10] Book II. chap. 20. sect. 10 and 11.

[11] Conc. Ancyran. can. 2. Conc. Tolet. 4. can. 39.

reason assigned by the council of Vaison[12] for permitting them so to do, when the presbyter was sick or infirm. For if deacons were worthy to read what Christ has spoken in the Gospel, why should they be thought unworthy to rehearse publicly the expositions or homilies of the fathers? But excepting such cases, we very rarely find any permission so much as to read a homily granted them. For preaching anciently was one of the chief offices of a bishop: insomuch that in the African churches a presbyter was never known to preach before a bishop in his cathedral church till St. Austin's time, but the bishop always discharged this office himself, and St. Austin was the first presbyter in that part of the world, that ever was allowed to preach in the presence of his bishop, as has been showed out of Possidius,[13] the writer of his Life, in a former Book.[14] It is true, in the Eastern churches presbyters were sometimes allowed to preach in the great church before the bishop; but that was not to discharge him of the duty; for still he preached a sermon at the same time after them, as we shall see from the practice of Chrysostom and Flavian at Antioch, and other examples hereafter.

In the lesser churches of the city and country about, this office was devolved upon presbyters, as the bishop's proper assistants; and the deacons, except in the forementioned cases, were not authorized to perform it. So that this office of preaching the Gospel, was then esteemed the proper office of bishops and presbyters; the bishop discharging it personally in his cathedral church, in conjunction with his presbyters, or alone without them; and vicariously by his presbyters, where he could not be present, in the lesser churches. There are a great many serious passages in the ancient records relating to this matter, as well in the imperial laws as the canons of the church, and the writings of the most considerable fathers, partly impressing this as a necessary duty of the episcopal and pastoral function, and partly complaining of the neglect of it, and partly threatening censures and punishments to the offenders. St. Chrysostom,[15] on those words to Timothy, " A bishop must be apt to teach," διδακτικὸν, says, Other qualifications, such as those, "He must be sober, vigilant, of good behaviour, given to hospitality," &c., may be in subjects; but because a bishop ought to have those qualifications that belong to rulers, the apostle therefore added, "He must be apt to teach:" for this is not required of subjects; but is most especially required of those who have the office of governing committed to them. And again, on those words to Titus, " Holding fast the faithful word, as he hath been taught," (or, which relates to teaching, τοῦ κατὰ διδαχὴν λόγου,) "that he may be able by sound doctrine both to exhort and to convince the gainsayers," he says, St. Paul converted the world, not so much by his miracles, as by his continual preaching: and therefore a bishop must be able to exhort by sound doctrine, that is, to preserve his flock, and overthrow its enemies. And unless he be such a one, all is lost. For he that knows not how to oppose the enemy, and captivate every thought to the obedience of Christ, and pull down the vain imaginations of men, as he knows not how to teach according to sound doctrine, so he ought to be far[16] from the teaching throne, πόῤῥω ἔξω θρόνου διδασκαλικοῦ; where it is observable, that Chrysostom therefore calls the bishop's throne, the throne of doctrine, or teaching throne, because preaching sound doctrine was so necessary a part of the bishop's office, that he could not be without it. St. Ambrose likewise, describing the office of a bishop, does it chiefly by styling it the office of teaching; complaining modestly of his own hard fate, in being forced against his will to take upon him the office of the priesthood,[17] that is, to be made a bishop; which obliged him to teach others, before he had well learned himself. For he was made bishop of a catechumen. Sidonius Apollinaris makes the same description of the office of a bishop, complaining, in the like modest way with St. Ambrose,[18] of the weight of the profession that was laid upon his shoulders, when, by being made a bishop against his will, he was forced to teach before he had learned, and preach good to others before he had done any himself: like a barren tree, when he had no works to show for fruit, he was forced to scatter words for leaves: meaning the necessity of preaching, that was laid upon him by taking the office of a bishop. St. Cyril of Alexandria, in like manner, calls the office of a bishop,[19] ἀξίωμα διδασκαλικὸν, the dignity or honour of teaching. And in the sixth general council, where Maximus, bishop of Antioch, was degraded for his heresy, he is said to be removed[20] from the throne of teaching, that is, from the episcopal office, of which preaching

[12] Conc. Vasens. 2. can. 2. Si presbyter, aliqua infirmitate prohibente, per seipsum non potuerit prædicare, sanctorum patrum homiliæ a diaconibus recitentur. Si enim digni sunt diaconi, quæ Christus in Evangelio loquutus est, legere: quare indigni judicentur, sanctorum patrum expositiones publice recitare?

[13] Possid. Vit. Aug. cap. 5. [14] Book II. chap. 3. sect. 4.

[15] Chrys. Hom. 10. in 1 Tim. iii. p. 1569.

[16] Ibid. Hom. 2. in Tit. p. 1703.

[17] Ambros. de Offic. lib. 1. cap. 1. Titul. Capitis. Episcopi proprium munus docere populum. Item, Cum jam effugere non possimus officium docendi, quod nobis refugientibus imposuit sacerdotii necessitudo, &c.

[18] Sidon. lib. 5. Ep. 3. Indignissimo tantæ professionis pondus impactum est, qui miser ante compulsus docere, quam discere, et ante præsumens bonum prædicare, quam facere, tanquam sterilis arbor, cum non habeam opera pro pomis, spargo verba pro foliis.

[19] Cyril. Ep. ad Monachos, in Conc. Ephes. par. 1. cap. 28.

[20] Conc. 6. Gener. Act. 12. p. 937. Οὐδαμῶς ὁ θεῖος κα-

was a special ingredient. The rule of the Apostolical Canons is, That a bishop who neglects his clergy or his people, and teaches them not[21] the rules of piety, shall be suspended; and if he persists in his neglect, shall be deposed. For it was his office to teach the clergy as well as the people, and to expound the Scriptures to them. Whence St. Jerom gives it as part of the character of Gregory Nazianzen, That he was an eloquent teacher, and the master under whom he learned the Scriptures, as he explained[22] them. Some would have excused themselves, by saying they would teach the people by their example. To which St. Jerom replies,[23] That a bishop's innocent conversation, without preaching, did as much harm by its silence as it did good by its example. For the barking of the dogs is as necessary as the shepherd's staff, to terrify and beat off the fury of the wolves. Athanasius[24] gives a very pathetical exhortation to Dracontius, a bishop newly ordained: Now that you are made bishop, says he, the people expect that you should bring them food from the doctrine of the Scriptures; but if, while they expect it, they suffer want, and you only feed yourself, what excuse will you have, when the Lord Jesus shall come and find his sheep starving for want of food? St. Austin, in one of his homilies[25] upon the anniversary of his ordination, represents this part of a bishop's office with great concern, as a matter in which he was deeply interested, and nearly affected. First, he tells his people what a burden was laid upon him by God in the prophet Ezekiel, chap. xxxiii., which was the lesson appointed for that solemnity, wherein were these words, so full of terror: "I have made thee a watchman. If I say to the sinner, Thou shalt surely die, and thou holdest thy peace, and he die in his sins; he indeed dies justly, and according to his desert in his sins: but his blood will I require at thy hands," &c. Upon which he makes this reflection with regard to his own office: I am a steward; if I lay not out my Lord's money, but keep it by me, the gospel terrifies me. I might say, indeed, What have I to do to be troublesome unto men, to say to the wicked, Do not thus; Do thus; Desist from doing evil? what have I to do to be thus troublesome unto men? I have received how I ought to live myself, as I am enjoined, as I am commanded. I will return what I have received. What have I to do to give account of others? But the gospel terrifies me. There is nothing more pleasant than to seek after the Divine treasure in quiet; this is sweet and good; but to preach, to reprove, to correct, to edify, to take the care of every other man upon myself, this is a great burden, a great weight, a great labour. Who would not fly from such a labour? But the gospel terrifies me. There we read of a certain servant, who said to his Lord, "I knew thee to be a hard man, reaping where thou hast not sowed, therefore I kept thy money," I would not lay it out; "take that which is thine." To whom the Lord answered, "Out of thine own mouth will I condemn thee, O thou wicked servant. Thou oughtest to have given my money to the bank, that when I came, I might have received my own with usury." The curious reader may find a great deal more to the same purpose in St. Basil's Epistles,[26] and Gregory Nazianzen's Complaints,[27] and those of Cyprian,[28] which I care not here to transcribe. But nothing is more remarkable than what is said by St. Chrysostom,[29] in his homily upon the man who was to account to God for ten thousand talents; where he thus represents the account which bishops must make to God: Not only secular magistrates, says he, but the rulers of the church, *τῶν ἐκκλησιῶν προεστῶτες*, must render an account of their government and administration; and they, above all others, shall suffer bitter and grievous punishment. For they who are intrusted with the ministry of the word, shall be examined most strictly and severely in the next world, whether they have not, through sloth or envy, neglected to speak any thing which they ought to have spoken; and whether they have demonstrated by their works and labour, that they have delivered all things faithfully, and concealed nothing that was profitable unto men. Again, He that has obtained the office of a bishop, by how much he is exalted to greater dignity, so much the more ample account shall he be required to give, not only of his doctrine or teaching, and care of the poor, but also of his examination and trial of those who are ordained, with a thousand other things of the like nature. Where it is evident, that teaching is reckoned as necessary a part of the bishop's function, as ordination: and as he proves the one from those words of St. Paul to Timothy, "Lay hands suddenly on no man, neither be partaker of other men's sins;" so he proves the other from those words of the same apostle to the Hebrews, "Obey them that have the rule over you, and submit yourselves unto them: for

νὼν παραδέχεται τοῦ λοιποῦ εἰς διδασκαλικὸν καθίσαι θρόνον, κ. τ. λ.

[21] Canon. Apost. c. 58.

[22] Hieron. de Scriptor. cap. 117. Vir eloquentissimus præceptor meus, quo Scripturas explanante didici.

[23] Id. Ep. 83. ad Oceanum. Sacerdotis innocens, sed absque sermone conversatio, quantum exemplo prodest, tantum silentio nocet. Nam et latratu canum, baculoque pastoris luporum rabies deterrenda est. Vid. Ep. 2. ad Nepotian.

[24] Athan. Ep. ad Dracont. t. 1. p. 954.

[25] Aug. Serm. 25. ex 50. t. 10. p. 173.

[26] Basil. Ep. 61, 69, 185, 293.

[27] Naz. Orat. 1. de Fuga, p. 15, &c. It. Tract. de Episc. Latine, t. 2. p. 304. et Orat. 32. p. 519.

[28] Cypr. de Lapsis, p. 123. [29] Chrys. Hom. 1. t. 5. p. 9.

they watch for your souls, as they that must give account," Heb. xiii. 17. Which, as he truly observes, is an argument full of terror. St. Chrysostom has abundance more to the same purpose in those excellent books of the priesthood, which were composed on purpose to describe the offices and duties of a bishop, among which he reckons the laborious work of making continual homilies[30] and set discourses to the people. And whereas some were ready to plead, that a good life was the main thing required, to excuse their want of knowledge, and study, and preaching, and disputing, he answers, That both these qualifications were required; they must not only do, but teach the commands of Christ, and guide others[31] by their word and doctrine, as well as their practice: each of these had their part in the episcopal office, and were necessary to assist one another, in order to consummate men's edification. With much more to the same purpose, which I here omit, because I have more fully represented it in another Book,[32] where I had occasion to treat of the general duties of the ecclesiastical function.

What is thus pathetically pressed by private men, is more authoritatively enjoined by the laws of the church and state, both concurring to enforce this duty. The council of Laodicea[33] speaks of it as a customary thing, for the bishop to make always a sermon before the catechumens were dismissed. And the council of Valentia in Spain does the same, when it orders, That catechumens, and penitents, and even heathens, should be allowed to hear the bishop's sermon,[34] because they had experienced how that by this means many infidels had been brought over to the faith. These councils do not so much enjoin bishops to preach, as presuppose it to be their constant and general practice. But the council of Trullo[35] speaks more expressly by way of injunction, That the rulers of churches, τῶν ἐκκλησιῶν προεστῶτας, ought every day, but especially on the Lord's day, to teach all the clergy and people the words of truth and godliness, gathered out of the Holy Scriptures. And in the imperial laws, there are several edicts of the secular power to the same purpose. In the Theodosian Code, there is one jointly made by the three emperors, Gratian, Valentinian, and Theodosius, which bears this title, De Munere seu Officio Episcoporum in prædicando Verbo Dei, Of the Duty and Office of Bishops in Preaching the Word of God. And the body of the edict[36] charges all those with sacrilege, who either confound the sanctity of the Divine law by ignorance, or violate it by neglecting to preach it. And the same law now stands inserted[37] into the Justinian Code under the charge of sacrilege, both in the title and the body of it also. In another law of Arcadius and Honorius,[38] bishops are styled, the men who, in their several districts, are to govern the people, by instilling into them the doctrines of the Christian religion, and more especially the principles of subjection and obedience to civil magistrates, which were often violated by the tumultuous practices of the monks, who were under their inspection. And in another law[39] of Theodosius, all heretics are forbidden either to teach or hear their profane doctrines in their unlawful assemblies: more particularly, they who were called bishops among them, should not presume to teach the faith, which they themselves had not, nor ordain ministers, when they themselves were really none. This supposes that the offices of ordination and preaching were equally the duties of catholic bishops, and that the pretence in heretical bishops to perform them was mere usurpation. And upon the whole it appears, that as preaching was an office originally invested in bishops, as supreme pastors of the flock of Christ; so, by all the rules and laws of church and state, and all the ties of religion, they were obliged to perform this duty with all assiduity and diligence, as we find they generally did out of the sense of the great obligation that was laid upon them. And some in the Romish church (where this part of the episcopal function was for many ages scandalously neglected) have earnestly wished and laboured for the restoration and revival of it. Habertus pleads hard for it, and says one thing[40] particularly remarkable, to excite those to whom he writes, That he could aver upon certain experience in France, that there was more weight in the words of every bishop to the people, than in six hundred of the most eloquent

[30] Chrys. de Sacerdot. lib. 5. cap. 1.

[31] Chrys. ibid. lib. 4. cap. 8.

[32] Book VI. chap. 3. sect. 2.

[33] Conc. Laodic. can. 19. Περὶ τοῦ δεῖν, μετὰ τὰς ὁμιλίας τῶν ἐπισκόπων, καὶ τῶν κατηχουμένων εὐχὴν ἐπιτελεῖσθαι.

[34] Conc. Valentin. can. 1. Sic enim pontificum prædicatione audita nonnullos attractos ad fidem evidenter scimus.

[35] Conc. Trull. can. 19. See also in Conc. Nic. 2. can. 2. et Conc. Ticinense; can. 5.

[36] Cod. Theod. lib. 16. Tit. 2. de Episcopis, Leg. 25. Qui Divinæ legis sanctitatem, aut nesciendo confundunt, aut negligendo violant et offendunt, sacrilegium committunt.

[37] Cod. Justin. lib. 9. Tit. 29. de Crimine Sacrilegii, Leg. 1.

[38] Cod. Theod. lib. 9. Tit. 40. de Pœnis, Leg. 16. Ad episcoporum sane culpam (ut cætera) redundabit, si quid forte in ea parte regionis, in qua ipsi populo Christianæ religionis, doctrinæ insinuatione moderantur, ex his quæ fieri hac lege jubemus, a monachis perpetratum esse cognoverint, nec vindicaverint.

[39] Cod. Theod. lib. 16. Tit. 5. de Hæreticis, Leg. 24. Nusquam profana præcepta vel docere vel discere: ne antistites eorundem audeant fidem insinuare, quam non habent, et ministros creare, quod non sunt.

[40] Habert. Archieratic. par. 7. Observ. 5. p. 91. Id scio expertusque sum, plus esse momenti in unius episcopi ad populum, quam in sexcentis aliorum quantumvis orationibus atque elaboratis.

and elaborate discourses of other men. But I return to the ancient church.

Sect. 3. The singular practice of the church of Rome, in having no sermons for several ages, noted out of Sozomen and Cassiodore.

It being thus certain from what has been related, that the work of preaching was ordinarily performed by bishops themselves in their own church, either in conjunction with their presbyters, or without them; it is very wonderfully strange, and even astonishing and surprising, to hear what Sozomen[41] relates of the church of Rome in his time, that they had no sermons, either by the bishop or any other; which was contrary to the custom of all other churches. For at Alexandria, the bishop alone preached without his presbyters from the time of Arius; and in other churches it was done by the bishop and presbyters together; but in the church of Rome, by neither the one nor the other. Pagi[42] and Quesnel[43] think Sozomen must needs be mistaken, and that, being a Greek, he took this report up by uncertain rumour; because Pope Leo, in whose time Sozomen lived, not only preached constantly to the people, but declared it his duty so to do, professing that he was afraid[44] it should be imputed to him as a crime, if he was wanting in this part of his office and ministry. But Valesius, on the other hand, is very confident that Sozomen's relation is true, because Cassiodore, who was a senator and consul, and *præfectus prætorio* at Rome, has the same out of Sozomen in his Historia Tripartita, without any correction; and he says further, That no one can produce any sermons preached to the people by any bishop of Rome before those of Leo, which were not preached till after Sozomen wrote his history. I will not pretend to decide this controversy among these learned men; but only say, that however it was in Sozomen's time, it seems to have been otherwise in the days of Justin Martyr, when he presented his Apology to Antoninus Pius and the senate of Rome, where he lived and wrote at that time: for there, describing the business of the Christian assemblies on the Lord's day, he expressly says, That after the reading of the writings of the apostles and prophets, the προεστὼς, the bishop or president of the assembly,[45] made a sermon to exhort and excite the people to the imitation of the good things they had heard read out of them. Where it must reasonably be supposed, that writing at Rome, and to the Roman senate, he spake at least of the usual custom and practice of the Roman church. And if it was otherwise in the time of Sozomen, some alteration must have happened in the interval. Perhaps they might have taken up the custom of reading the homilies of famous writers among the lessons, or immediately after, by the deacon, (as I have showed before, they read in some churches the homilies of Ephrem Syrus, and the books of Clemens Romanus and Hermes Pastor;[46] and in the old Lectionariums, there are frequently lessons appointed out of the homilies of St. Austin, St. Ambrose, and others, as it is now in the Roman Breviary,) and this might supply the place of a sermon, till Leo brought up the ancient way of preaching in the Roman church again, which was afterwards discontinued for five hundred years together, till Pius Quintus, like another Leo, revived the practice, as we are told by Surius, one of their own writers.[47]

Sect. 4. Whether laymen were ever allowed to preach in the ancient church.

But there is another question must be resolved with relation to the ancient church, that is, whether laymen were ever allowed by authority to make sermons to the people? That they did it in a private way as catechists in their catechetic schools at Alexandria and other places, there is no question. For Origen read lectures in their catechetic schools of Alexandria, before he was in orders,[48] by the appointment of Demetrius; and St. Jerom says,[49] There was a long succession of famous men in that school, who were called ecclesiastical doctors upon that account. But this was a different thing from their public preaching in the church. Sometimes the monks, who were only laymen, took upon them to preach publicly in the church: but this was opposed and censured, as a usurpation of an office that did not belong to them. All monks anciently, considered only as monks, were no more than laymen, as I have fully showed[50] in another place: and therefore, as monks, they had no title to any part of the ecclesiastical office or function. Particularly St. Jerom[51] says, The office of a monk was not to teach, but to mourn. And that the case of the monks and clergy was very different from each other: the clergy[52] are those that feed the sheep, the monks are among those that are fed. And therefore, when some monks in the Eastern parts about Antioch, presuming on their own qualifications and knowledge, took upon them to preach publicly in the churches, Pope Leo wrote two letters[53] to Maximus,

41 Sozom. lib. 7. cap. 19.

42 Pagi, Critic. in Baron. an. 57. n. 3.

43 Quesnel. Dissert. 6. de Jejunio Sabbati, et Dissert. 1. de Vita Leonis.

44 Leo, Serm. 3. de Epiphania. Ut nostri nihil desit officii, &c.

45 Justin. Apol. 2. p. 98.

46 Chap. 3. sect. 14.

47 Surius, Hist. ap. Blondel. Apolog. pro Sentent. Hieronymi, p. 58.

48 Vid. Euseb. lib. 6. c. 3.

49 Hieron. de Script. cap. 36.

50 Book III. chap. 2. sect. 7.

51 Hieron. Ep. 55. ad Riparium. Monachus non docentis, sed plangentis habet officium.

52 Id. Ep. 1. ad Heliodor. Alia monachorum est causa, alia clericorum: clerici pascunt oves, ego pascor.

53 Leo, Ep. 60. al. 62. ad Maximum, Antioch. Illud quoque convenit præcavere, ut præter eos qui sunt Domini sacerdotes, nullus sibi jus docendi et prædicandi audeat vendicare, sive sit ille monachus, sive laicus, qui alicujus scientiæ nomine glorietur. It. Ep. 61. al. 63. ad Theodorit.

bishop of Antioch, and Theodoret, to engage them to lay a restraint upon them, telling them, That besides the priests of the Lord, none ought to presume to take upon them the power of teaching or preaching, whether he were monk or layman, whatever knowledge he could pretend to. Yet, in some cases, a special commission was given to a layman to preach, and then he might do it by the authority of the bishop's commission for that time. Thus Eusebius[54] says, Origen was approved by Alexander, bishop of Jerusalem, and Theoctistus of Cæsarea, to preach and expound the Scriptures publicly in the church, when he was only a layman. And when Demetrius of Alexandria made a remonstrance against this, as an innovation, that had never been seen or heard of before, that a layman should preach to the people in the presence of bishops; Alexander replied in a letter, and told him, he was much mistaken; for it was a usual thing in many places, where men were well qualified to edify the brethren, for bishops to entreat them to preach to the people. As Euelpis was requested by Neon at Laranda, and Paulinus by Celsus at Iconium, and Theodorus by Atticus at Synada. These had all special directions from their bishops to preach; and, therefore, whatever other irregularity or novelty there might be in the thing, it was not liable to the charge of usurpation. Hallier, a famous Sorbonne doctor, is of opinion, that they might do it by permission:[55] and he thinks this may be deduced from that canon of the fourth council of Carthage,[56] which forbids a layman to teach in the presence of the clergy, except they request him to do it. If this relate to public teaching in the church, it implies, that they might do it by special indulgence and concession. The ancient author of the Comment upon the Epistles,[57] under the name of St. Ambrose, says, That in the beginning of Christianity, for the augmentation and increase of the church, a general commission was granted unto all, both to preach the gospel, and baptize, and explain the Scriptures, in ecclesiastical assemblies. But when the church had spread itself into all places, buildings were erected, and rulers and other officers were appointed, that no one among the clergy should presume to meddle with any office, which he knew was not committed to his trust. And hence it was that deacons in his time did not preach to the people, nor the inferior clergy or laymen baptize. What he says of the apostles' days, must rest upon his authority: if he means an unlimited commission to all in general, without previous qualifications, and examination of them, his opinion is certainly singular. But if he means only, that all who had extraordinary measures of spiritual gifts, were allowed to exercise those gifts sometimes in preaching in public assemblies, without any external ordination, besides the gift of the Spirit of prophecy; that is no more than what the best interpreters of those words of St. Paul, 1 Cor. xiv. 31, "Ye may all prophesy one by one," commonly allow: that is, all who had the gift of prophecy, not every Christian, might use the word of exhortation in the church.[58] But then, as such extraordinary gifts of the Spirit of prophecy were in a manner peculiar to the apostolical age, this could not be a rule to the following ages of the church. And, therefore, when once these gifts were ceased, the church went prudently by another rule, to allow none but such as were called by an ordinary commission, to perform this office, except where some extraordinary natural endowments, (such as were in Origen,) answering in some measure to those spiritual gifts, made it proper to grant a licence to laymen to exercise their talents for the benefit of the church. Or else, when necessity imposed the duty on deacons to perform the office of preaching, when the bishop and presbyters were by sickness or other means debarred from it. For the foresaid author plainly says, That deacons in his time did not ordinarily *prædicare in populo*, preach to the people; as being an office to which they had no ordinary commission. And the same is said by the author of the Constitutions,[59] and many others. Therefore, since deacons were not allowed this power, but only in some special cases, it is the less to be wondered, that, after the ceasing of spiritual gifts, it should generally be denied to laymen.

Sect. 5. Women never allowed to preach.

As to women, whatever gifts they could pretend to, they were never allowed to preach publicly in the church, either by the apostles' rules, or those of succeeding ages. The apostle says expressly, "Let your women keep silence in the churches: for it is not permitted unto them to speak: but they are commanded to be under obedience, as also saith the law," 1 Cor. xiv. 34. And, "if they will learn any thing, let them ask their husbands at home; for it is a shame for women to speak in the church." And again, 1 Tim.

[54] Euseb. lib. 6. c. 19. Epiphan. Hær. 64. seems to say he was then a presbyter: but it must be a mistake.

[55] Hallier. de Hierarch. Ecclesiast. lib. 1. cap. 7. p. 67. Laicis non nisi ex indulgentia illud attingere debere. It. p. 79. ibid.

[56] Conc. Carth. 4. can. 98. Laicus, præsentibus clericis, nisi ipsis rogantibus, docere non audeat.

[57] Ambros. Com. in Ephes. iv. p. 948. Ut cresceret plebs et multiplicaretur, omnibus inter initia concessum est et evangelizare et baptizare, et Scripturas in ecclesia explanare. At ubi autem omnia loca circumplexa est ecclesia, conventicula constituta sunt, et rectores et cætera officia in ecclesiis sunt ordinata, ut nullus de clero auderet, qui ordinatus non esset, præsumere officium, quod sciret non sibi creditum vel concessum. Hinc ergo est, unde nunc neque diaconi in populo prædicant, neque clerici vel laici baptizant.

[58] Vide Bezam et Estium in loc.

[59] Constit. lib. 3. cap. 20. Vigil. Ep. ad Rusticum. Conc. t. 5. p. 554.

ii. 11, "Let the woman also learn in silence with all subjection. But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence." And this rule was always strictly observed in the ancient church. The same council of Carthage, which allows laymen to teach by permission, expressly forbids women to do it in any case: Let not a woman, however learned or holy,[60] presume to teach men in a public assembly. But they might teach women in private, as private catechists, to prepare catechumens for baptism. For the same council of Carthage requires[61] this as one qualification in deaconesses when they were ordained, that they should be so well instructed and expert in their office, as to be able to teach the ignorant and rustic women, how to make their responses to the interrogatories, which the minister should put to them in baptism, and how to order their conversation afterward. And the author of the Short Notes upon St. Paul's Epistles, under the name of St. Jerom,[62] says, That deaconesses were thus employed in all the Eastern churches, both to minister to their own sex in baptism, and in the ministry of the word, to teach women privately, but not in public. This matter was carried much further in many heretical assemblies; for they ordained women priests, which the author of the Constitutions calls a heathenish[63] practice; for the Christian law allowed of no such custom. Tertullian says, They allowed[64] women to teach and dispute in their assemblies, and to exorcise demoniacs, and administer baptism: all which was expressly, he says,[65] against the rule of the apostle, 1 Cor. xiv. 35, which is so far from allowing them to teach, that it does not allow them to ask questions or dispute publicly in the church. And whereas some pretended the authority of St. Paul for this, from a book called, The Acts of Paul and Thecla, he says, That was a spurious book, and the author of it was convict, and confessed the forgery, and was censured for it by the church. The Montanists were a noted sect for giving this liberty to women, under pretence of inspiration by the Spirit; so that they had not only their prophetesses, such as Prisca and Maximilla, the first followers of Montanus, but also their women bishops, and women presbyters, as Quintilla and Priscilla, who, as Epiphanius[66] and St. Austin[67] inform us, were dignified among the Pepuzians (a subdivision of the Montanists) with the highest offices of the priesthood. Epiphanius brings[68] the same charge against the Collyridians, so called from their offering *collyria*, or cakes, in sacrifice to the Virgin Mary, against whom he disputes at large, not only for their idolatry in offering sacrifice to her, but also for their presumption in putting women into the priest's office; which was a thing never done among the people of God from the beginning of the world; and if it had been allowed to any, would doubtless have been granted to the Virgin Mary. Firmilian, in his letter to Cyprian,[69] mentions another such woman among the Cataphrygians, who pretended by the Spirit of prophecy, to preach, and pray, and baptize, and offer the eucharist in their public assemblies. So that this was a common practice among the heretics, but always refuted and opposed by the church of God, which always kept strictly to the apostle's rule, not to suffer a woman to teach publicly in the church, whatever sanctity or learning she could pretend to, but to reserve this office to men, for whom it was originally appointed.

Sect. 6. Two or three sermons sometimes in the same assembly.

Having thus examined what persons were allowed to execute this office, we are next to inquire after what manner it was performed. And here we may observe, that they had sometimes two or three sermons preached in the same assembly, first by the presbyters, and then by the bishop, who usually, when present, closed up this part of the service with his paternal exhortation. The author of the Constitutions[70] gives this rule about it: When the Gospel is read, let the presbyters one by one, but not all, speak the word of exhortation to the people, and last of all the bishop, who is the governor or pilot of the ship. And that thus it was in the Eastern churches, whose customs that author chiefly represents, appears evidently from St. Chrysostom's sermons, which he preached when he was presbyter at Antioch. For in these he plainly speaks of Flavian the bishop as designing to preach after him, whom he usually complimented in some such form as this: It is now time[71] for me to keep silence, that our master may have time to speak. And again,[72] Let us remember these things, and now attend to

[60] Conc. Carthag. 4. can. 99. Mulier, quamvis docta et sancta, viros in conventu docere non præsumat.

[61] Ibid. can. 12. Viduæ vel sanctimoniales, quæ ad ministerium baptizandarum mulierum eliguntur, tam instructæ sint ad officium, ut possint apto et sano sermone docere imperitas et rusticas mulieres, tempore quo baptizandæ sunt, qualiter baptizatori interrogatæ respondeant, et qualiter, accepto baptismate, vivant.

[62] Hieron. Com. in Rom. xvi. 1. Sicut etiam nunc in Orientalibus diaconissæ mulieres in suo sexu ministrare videntur in baptismo, sive in ministerio verbi, quia privatim docuisse feminas invenimus, &c.

[63] Constit. lib. 3. cap. 9. [64] Tertul. de Præscript. cap. 41.

[65] Idem, de Baptismo, cap. 17. Vid. De Velandis Virgin. cap. 9.

[66] Epiphan. Hær. 49. Pepuzian. n. 2.

[67] Aug. Hær. 27. Pepuzian. Tantum dantes mulieribus principatum, ut sacerdotio quoque apud eos honorentur.

[68] Epiphan. Hær. 78. Antidicomarian. n. 23. et Hær. 79. Collyridian.

[69] Firmil. Ep. 75. ad Cypr. p. 223.

[70] Constit. lib. 2. cap. 57.

[71] Chrys. Hom. 2. de Verbis Esai. t. 3. p. 853.

[72] Hom. 3. ibid. p. 864.

the more perfect admonition of our good master. It would be as endless as it is needless, to relate all the passages that[73] occur in Chrysostom or other writers, such as St. Basil, Gregory Nyssen, Theodoret, St. Austin,[74] and St. Jerom,[75] who particularly reflects upon the contrary practice in some churches, (meaning Egypt and Africa,) where the bishops allowed none to preach but themselves; which he thought was an indecent contempt of their presbyters, as if they either envied or disdained to hear them; when yet the apostolical rule was, "If any thing be revealed to another that sitteth by, let the first hold his peace: for ye may all prophesy, one by one, that all may learn, and all may be comforted," 1 Cor. xiv. 30, 31. When two or more bishops happened to be present in the same assembly, it was usual for several of them to preach one after another, reserving the last place for the most honourable person; as St. Jerom tells us,[76] that Epiphanius, and John, bishop of Jerusalem, preached together in the church of Jerusalem; and nothing was more common than this practice at Constantinople, where a multitude of bishops were often present to attend the court, or advise with the patriarch about the affairs of the church.

Sect. 7. Sermons every day in some times and places.

In some places they had sermons every day, especially in Lent, and the festival days of Easter. St. Chrysostom's homilies upon Genesis, were preached in a running course of two Lents, one day after another, as any one may perceive that peruses them. His famous homilies De Statuis were preached in Lent after the same manner. And it were easy to note some scores of passages in his other sermons, especially in his first, third, and fifth volumes,[77] which make mention of their being preached successively one day after another. St. Jerom[78] observes the same practice among the monks of Egypt, where it was customary every day, after the singing of the Psalms, and reading of the Scriptures, and repeating of their prayers, for the father (that was the title of the presbyter that presided over them) to make them a sermon, to elevate their minds to the contemplation of the glory of the next world, which made every one of them, with a gentle sigh, and eyes lift up to heaven, to say within himself, "Oh that I had wings like a dove, for then would I flee away and be at rest!" Pamphilus, in his Apology for Origen, relates the same thing of him, that he was used to make sermons extempore almost every day[79] to the people: and a man cannot look into St. Austin's homilies, but he will find references made almost every where to the sermon made *heri*, and *hesterno die*, the day before,[80] which either denotes some day in the weekly course, or at least some festival of a martyr. For the festivals of the martyrs were always kept with great solemnity, and they never omitted to make a panegyrical homily upon those days, to excite the people to imitate the virtue of the martyrs; as appears from St. Austin's sermons De Sanctis, and abundance throughout St. Chrysostom's works upon such occasions.[81] In France also Cæsarius, the famous bishop of Arles, preached almost every day. For he is said, by the writer of his Life,[82] to have made homilies to the people frequently both at morning and evening prayer, that none of them might have the excuse of ignorance to plead in their behalf. And the council of Trullo has a canon to promote this practice.[83]

Sect. 8. Sermons twice a day in many places.

And this leads us to another observation proper to be made in this matter, which is, that in many places they had sermons twice a day, for the better edification of the people. Mr. Thorndike[84] and Hamon L'Estrange[85] make a little question of this as to the extent of the practice. The former says, there are examples of preaching as well evening as morning in the ancient church, but only at particular times, and on particular occasions, and therefore he is not satisfied of any rule or custom of the church. The other says, the custom only prevailed at Cæsarea in Cappadocia, where St. Basil lived, and at Cyprus. St. Basil preached some of his homilies upon the

[73] Hom. 31. de Philogonio, t. 1. p. 399. Hom. 48. de Romano, t. 1. p. 621. Hom. 53. de Pœnitentia, Tit. 1. p. 662. Hom. 59. de Babyla, p. 721. Hom. 31. de Natali Christi, t. 5. p. 476. Hom. 47 et 66. ibid. Hom. in Psal. xlviii. p. 813. Hom. 36. in 1 Cor. p. 652.

[74] Basil. Hom. 18. in Barlaam. t. 1. p. 443. Nyssen. Orat. in sui Ordinat. t. 2. p. 41. Theod. in 1 Cor. xiv. 31. Aug. Ser. in Psal. xciv., xcv., et cxxxi.

[75] Hieron. Ep. 2. ad Nepotian.

[76] Hieron. Ep. 61. ad Pammach. cap. 4.

[77] Chrys. t. 1. Hom. 9, 25, 32, 40, 42, 46, 49, 71. T. 3. in Psal. xliv. et l. Hom. 1, 2, 4, et 5. de Verbis Esaiæ. T. 5. Hom. 2. de Lazaro. Hom. 30, 34, 48, 56, 62, 63, &c.

[78] Hieron. Ep. 22. ad Eustoch. cap. 15. Post horam nonam in commune concurritur, Psalmi resonant, Scripturæ recitantur ex more. Et completis orationibus, cunctisque residentibus, medius, quem patrem vocant, incipit disputare, &c.

[79] Pamphil. Apol. pro Orig. inter Opera Orig. t. 1. p. 756. Tractatus pene quotidie habebat in ecclesia, &c.

[80] Vid. Aug. Serm. in Psal. l. Serm. 2. in Psal. lviii. Serm. in Psal. lxiii. Serm. 2. in Psal. lxviii. Serm. 2. in Psal. lxx. Serm. 2. in Psal. xc. Serm. 2. in Psal. ci. et passim in Sermonibus de Tempore et de Sanctis.

[81] Chrys. t. 1. Serm. 31. de Philogonio. Serm. 40. de Juventino. Et sequentes de Pelagia, Ignatio, Romano, Metitio, Juliano, Luciano, Bernice, Eustathio, &c. Aug. Serm. in Psal. lxxxi. See also what has been observed before of their preaching on Saturdays, and the stationary days, in the former Book.

[82] Cyprian. Tolonensis, Vit. Cæsarii, cap. 4. ap. Mabillon. de Cursu Gallicano, p. 404. Frequenter etiam ad matutinos, et lucernarium propter advenientes recitabat homilias, ut nullus esset qui se de ignorantia excusaret.

[83] Conc. Trullan. can. 19.

[84] Thorndike of Religious Assemblies, chap. 10. p. 405.

[85] L'Estrange of Divine Offices, chap. 4. p. 98.

Hexameron[86] at evening prayer. But he thinks Socrates[87] confines the custom to those places, because he speaks of it as a peculiar usage of those places, to have sermons made by bishops and presbyters on Saturdays and Sundays at candle-light in the evening. Bishop Wettenhal was of a different[88] judgment: he thinks that in cities and greater churches, it was usual for the pastors to preach on Sundays both morning and afternoon. And he supports his opinion from several testimonies of Chrysostom, who entitles one of his homilies,[89] An Exhortation to those who were ashamed to come to Sermon after Dinner. And in another,[90] he inveighs against them who condemned his usage of preaching after dinner, as a new and strange custom, telling them he had much more reason to condemn that wicked custom then prevailing among some, to rise from table to sleep. In another place, he defends his practice from our Saviour's long sermon to his disciples after his last supper.[91] And in another homily, preached to the people of Antioch,[92] he highly commends them for coming to church in the afternoon in a full audience. All these are cited by Wettenhal, to which may be added what he says in his homily of Satan's temptations,[93] that the bishop attended his sermons which he preached both morning and afternoon. For that sermon was preached in the afternoon, the same day that he had preached his twenty-first sermon to the newly baptized, as he there expressly tells us. So again, it appears that the fifteenth and nineteenth homilies to the people of Antioch, against oaths, were preached on the same day.[94] And his homily of bearing reproof patiently, was an evening sermon. For there[95] he thus addresses himself to the people: Be not weary, though the evening now be come upon us. For all our discourse is in defence of Paul, that Paul who taught his disciples three years night and day. In his homily[96] upon Elias and the widow, he says, one of his Lent discourses was broken off by the evening coming upon them. And in one of his homilies upon Genesis,[97] he as plainly intimates, that he was then preaching an evening sermon. For he makes this apostrophe to the people: I am expounding the Scriptures, and ye all turn your eyes from me to the lamps, and him that is lighting the lamps. What negligence is this, so to forsake me, and set your minds on him! For I am lighting a fire from the Holy Scriptures, and in my tongue is a burning lamp of doctrine. This is a greater and a better light than that. For we do not set up a light like that moistened with oil, but we inflame souls that are watered with piety, with a desire of hearing. The whole allusion and similitude shows, that he was preaching an evening sermon, when candles were lighting, which gave him the hint to draw the comparison between the material light of the lamps, and the spiritual light of the Scriptures. And in his third homily of repentance,[98] to name no more, he says, He would continue his discourse to the evening, ἕως ἑσπέρας, that he might finish the subject he was then handling. From all which it is apparent, this was no occasional usage in St. Chrysostom's church, but his constant and ordinary practice. And in the Latin church we sometimes meet with examples of this kind, though not so frequent. St. Austin not only preached every day, but sometimes twice on the same day. As is evident from the two sermons on the 88th Psalm, in the latter of which[99] he says, he had preached before in the morning, and remained in their debt for the afternoon. Gaudentius also, bishop of Brixia,[100] speaks of his having preached twice on the vigil before Easter. And it is probable, the same solemnity was observed in like manner in other places. For at this solemnity, especially, they made a distinction in their sermons, preaching one to the catechumens, and another to the neophytes, or persons newly baptized; as Gaudentius says in the same place, that his second sermon was preached to the neophytes. The like is said by St. Ambrose,[101] and Theodoret,[102] and St. Austin,[103] as I have had occasion to show in another place, in speaking of the distinction that was made[104] between the catechumens and the faithful: to the former, they preached only upon moral subjects; to the latter, upon mystical points of religion, and abstruser articles of faith. Therefore St. Austin[105] says in another place, There were some points which required more intent auditors, and therefore the preacher was not to

86 Vide Basil. in Hexameron. Hom. 2, 7, 9.

87 Socrat. lib. 6. cap. 21.

88 Wettenhal, Duty of Preaching, chap. 3. p. 779.

89 Chrys. Hom. 10. in Genes.

90 Hom. 1. de Lazaro.

91 Hom. 9. ad Pop. Antioch. p. 121.

92 Hom. 10. ad Pop. Antioch. p. 132.

93 Hom. 25. de Diabolo Tentatore, t. 1. p. 318 et 319.

94 Hom. 15. ad Pop. Antioch. t. 1. p. 198.

95 Hom. 13. de ferendis Reprehen. t. 5. p. 194.

96 Hom. 54. in Heliam et Viduam, t. 5. p. 722.

97 Hom. 4. in Gen. t. 2. p. 902.

98 Hom. 3. de Pœnit. t. 4. p. 559.

99 Aug. Serm. 2. in Psal. lxxxviii. Ad reliqua psalmi, de quo in matutino locuti sumus, animum intendite, et pium debitum exigite.

100 Gaudent. Tract. 4. Carnalem Judaicæ Paschæ observantiam, spiritualibus typis refertam, trino jam tractatu docuimus; semel hesterno die, et bis in vigiliis. It. Tract. 5. Oportebat in illa nocte vigiliarum secundo tractatu—congrua neophytis explanari.

101 Ambros. de iis qui Mysteriis initiantur, cap. 1.

102 Theod. Quæst. 15. in Num.

103 Aug. Serm. 1. ad Neophytos, in Append. t. 10. p. 845.

104 Book I. chap. 4. sect. 8.

105 Aug. Tract. 62. in Joan. Intentior flagitatur auditor: et ideo eum præcipitare non debet, sed differre potius disputator.

hasten them, but defer them to another opportunity. And in another homily,[106] upon Easter day, he excuses the shortness of it, because he was to preach again to the infants, as they then called all persons newly baptized. Cyril's Mystical Catechisms were of this kind. And probably those Mystical Homilies of Origen, whereof he wrote two books, mentioned by Ruffin[107] and St. Jerom, were of the same nature. However, we have seen sufficient evidence otherwise for more sermons than one upon the same day upon many occasions.

Sect. 9. Not so frequent in country villages.

But this is chiefly to be understood of cities and large churches; for in the country parishes there was not such frequent preaching. St. Chrysostom says, They that lived in the city[108] enjoyed continual teaching, but they that dwelt in the country had not such plenty; therefore God compensated this want of teachers with a greater abundance of martyrs, and so ordered it that more martyrs lay buried in the country than in the city; where, though they could not hear the tongues of their teachers continually, yet they always heard the voice of the martyrs speaking to them from their graves, and that with greater force of eloquence and persuasion than living teachers could do; as he there goes on after his manner to describe it. There were sometimes great assemblies held at these monuments of the martyrs: for on their anniversary festivals the whole city went forth to celebrate their memorials in the churches where they lay buried; as Chrysostom tells us, both here and in other places:[109] but at other times their chief resort for preaching was to the city churches. It was not till the beginning of the sixth century, that preaching was generally set up throughout the country parishes in the French church; but about that time an order was made in the council of Vaison, anno 529, That for the edification of all the churches, and the greater benefit of the whole body of the people, presbyters should have power[110] to preach, not only in the cities, but in all the country parishes; and if the presbyter was infirm, a deacon should read one of the homilies of the holy fathers. So that in this respect the state of the present church may be reckoned happier than that of the ancient church; since there is scarce a country parish among us, but has a sermon preached every Lord's day throughout the year by a presbyter or deacon.

Sect. 10. Of their different ways of preaching.

The next thing to be observed is, their different sorts of sermons, and different ways of preaching. I have already noted[111] some difference to have been made between sermons to the catechumens, and sermons to the faithful; but that was chiefly in the matter and subject of them. What I observe here, relates more to the manner and method of preaching, in which respect they were distinguished into four kinds: 1. Expositions of Scripture. 2. Panegyrical discourses upon the saints and martyrs. 3. Sermons upon particular times, occasions, and festivals. 4. Sermons upon particular doctrines, and moral subjects, to illustrate the truth against heresy, and recommend the practice of virtue in opposition to immorality and ungodliness. There are examples of all these kinds in St. Chrysostom's and St. Austin's homilies, the two great standards and patterns of preaching in the Greek and Latin church. St. Austin has some homilies upon whole books of Scripture, as those upon the Psalms, and St. John's Gospel. He has others, styled De Sanctis, which are panegyrics upon the saints and martyrs; others, styled De Tempore, which are upon the festivals and great solemnities of the church, such as the Nativity, Epiphany, Lent, Passion, Easter, Pentecost, and the Lord's days throughout the year; others, styled De Diversis, which are a miscellany upon doctrinal points and moral subjects. So likewise in Chrysostom, we have his homilies by way of exposition on the whole Book of Genesis, the Psalms, the Gospels of St. Matthew and St. John, and all St. Paul's Epistles. Then, again, his panegyrics upon the saints and martyrs; his homilies upon the noted festivals, Easter, Pentecost, &c.; and, lastly, his moral and doctrinal discourses upon various subjects, repentance, faith, charity, humility, the truth of the Christian religion, the Divinity of Christ, and such important subjects as the occasion of the times, and the opposition of Jews, Gentiles, and heretics, required him to discourse upon, in a plain and familiar way to the people. His homilies by way of exposition of any book of Scripture, usually consist but of two parts, an exposition of some portion of a chapter, and an ethicon, or moral conclusion, upon some useful subject, which the last part of the words expounded gave him the hint or occasion to discourse upon. But his other homilies are commonly introduced with a useful preface, not relating always to the subject that was to follow, but such as the occasional necessities of his auditory, either in matters of reproof or commendation, seemed to require. But in both these ways, he still excelled in this, that he always expounded the Scripture in its most natural and

[106] Aug. Hom. 82. de Diversis. Satis sint vobis pauca ista, quoniam et post laboraturi sumus, et de sacramentis altaris hodie infantibus disputandum est.

[107] Ruffin. Invect. 2. cont. Hieron. cited by Valesius, Not. in Euseb. lib. 6. cap. 24.

[108] Chrys. Hom. 65. de Martyribus, t. 5. p. 973.

[109] Ibid. 72. de S. Droside, t. 5. p. 989 et 990.

[110] Conc. Vasens. 2. can. 2. Hoc etiam pro ædificatione omnium ecclesiarum, et pro utilitate totius populi nobis placuit, ut non solum in civitatibus, sed etiam in omnibus parochiis, verbum faciendi daremus presbyteris potestatem, &c.

[111] See before, sect. 8.

genuine sense, (not giving way to tropological descants, as too many others did,) and made such useful observations and reflections upon it, as were pertinent and proper, which he applied to his hearers with the strongest reasoning, and utmost force of Divine eloquence, becoming the seriousness and gravity of a Christian orator. It is a just character, which a late learned critic[112] gives him, and therefore I think it not improper here to transcribe it, for the encouragement of all young students to read him. "His eloquence is popular, and very proper for preaching; his style is natural, easy, and grave; he equally avoids negligence and affectation; he is neither too plain nor too florid; he is smooth, yet not effeminate; he uses all the figures that are usual to good orators very properly, without employing false strokes of wit; and he never introduces into his discourses any notions of poets or profane authors; neither does he divert his auditory with jests. His composition is noble, his expressions elegant, his method just, and his thoughts sublime; he speaks like a good father and a good pastor; he often directs his words to the people, and expresses them with a tenderness and charity becoming a holy bishop; he teaches the principal truths of Christianity with a wonderful clearness, and diverts with a marvellous art, and an agreeable way of ranging his notions, and persuades by the strength and solidity of his reasons; his instructions are easy, his descriptions and relations pleasant; his inducements so meek and insinuating, that one is pleased to be so persuaded; his discourses, how long soever, are not tedious, there are still some new things that keep the reader awake, and yet he hath no false beauties nor useless figures; his only aim is to convert his auditors, or to instruct them in necessary truths; he neglects all reflections that have more of subtilty than profit; he never busies himself to resolve hard questions, nor to give mystical senses, to make a show of his wit or eloquence; he searches not into mysteries, neither endeavours to comprehend them; he is contented to propose, after an easy way, palpable and sensible truths, which none can be ignorant of without danger of failing of salvation; he particularly applies himself to moral heads, and very seldom handleth speculative truths; he affects not to appear learned, and never boasts of his erudition; and yet, whatever the subject be, he speaks with terms so strong, so proper, and so well chosen, that one may easily perceive he had a profound knowledge of all sorts of matters, and particularly of true divinity." This is the character which that judicious critic gives that famous and eloquent preacher; and he that will diligently peruse his homilies, (especially those of his first and fifth volumes, which contain his most elaborate discourses, as also those on St. Matthew, St. John, and St. Paul's Epistles, where he excels in his moral applications,) will find his sermons to answer the character that is given of them, only making some allowances for the different way and method then used, not so agreeable to the model of sermons in the present age. I had once some thoughts of publishing a volume of his select discourses, which I translated for my own entertainment, when I was unfortunately cut off from other studies for a whole year: but because they are not altogether of the present stamp, and many men have a different taste and relish of things, I choose rather to encourage men to read them in the original, where they may select what they find proper for their use or imitation. As for those who can endure to read nothing but what is either modern, or dressed up in the modern dress, I neither court them to read Chrysostom, nor any other ancient father; but to others, who can be at pains to peruse, and judiciously select the beauties of style, the strains of piety, and the flights of divine and manly eloquence, that almost every where display themselves in this author, I dare venture to say, they will never think their time lost, nor find themselves wholly disappointed in their expectation. St. Basil's homilies come the nearest to St. Chrysostom's, in solidity of matter, beauty of style, ingenuity of thought, and sharpness and vivacity of expression. A vein of piety runs equally through them both, and by some St. Basil's are reckoned to come nearer to the Attic purity and perfection. Next after these, the two Gregories, Nyssen and Nazianzen, are esteemed the greatest masters of divine eloquence; though the latter is rather luxuriant and tedious, by his too frequent and long similitudes and digressions. Those of Ephrem Syrus were also of great repute in the ancient church, having the honour to be read as lessons after the reading of the Scriptures in many churches, as has been noted before out of St. Jerom.[113] They are highly commended by Sozomen[114] and Photius,[115] for the beauty of their style and sublime thoughts, which were not wholly lost by being translated out of Syriac into Greek. Gregory Nyssen[116] is more copious in his praise, and he particularly observes, that his discourses of morality were so full of compassionate and affecting expressions, that they were able to move the hardest heart. For who that is proud, says he, would not become the humblest of men, by reading his discourse of humility? Who would not be inflamed with a divine fire, by reading his treatise of charity? Who would not wish to be chaste in heart and spirit, by reading the praises he has given to virginity? Who would not be frighted,

112 Du Pin, Biblioth. vol. 3. p. 34.
113 Hieron. de Scriptor. cap. 115.
114 Sozom. lib. 3. cap. 16.
115 Phot. Cod. 196.
116 Nyssen. Vit. Ephrem Syri, t. 3. p. 603.

to hear the discourse he has made upon the last judgment, wherein he has represented it so lively, that nothing can be added to it but the real appearance of judgment itself? This is a character that would tempt any man to look into them. It is disputed now among the critics, whether those homilies that go under his name be his genuine offspring. Some utterly reject them, and they who say most in their defence, own that they may have lost something of their native beauty and majesty, by being translated out of Syriac into Greek, and then out of Greek into Latin. And therefore I will not so confidently assert, they deserve the character which Gregory Nyssen gives of those that were so much admired in his time. As for those of Origen, and others who followed him, though they have some flights of rhetoric, and a vein of piety in them, yet they are so full of allegorical and tropological interpretations, that they are neither good expositions nor good homilies, and fall far short of the majesty and simplicity of those of Chrysostom. Among the Latins, those few moral discourses we have of Cyprian's, whether homilies or treatises, are excellent in their kind. And so are many of St. Austin and St. Ambrose, and Leo the Great, and Petrus Ravennas, who, for his eloquence, had the name of Chrysologus, or the Latin Chrysostom; though his eloquence is of a different kind, being more like that of Seneca, than of Tully or Demosthenes, whom Chrysostom copied after.

Sect. 11. Of extempore discourses frequent among the ancients.

But of all these we must observe another distinction, that though many of them were studied and elaborate discourses, penned and composed beforehand, yet some were also extempore, spoken without any previous composition, and taken from their mouths by the *ταχυγράφοι*, or men who understood the art of writing shorthand in the church. Origen was the first that began this way of preaching in the church. But Eusebius[117] says, he did it not till he was above sixty years old, at which age, having got a confirmed habit of preaching by continual use and exercise, he suffered the *ταχυγράφοι*, or notaries, to take down his sermons which he made to the people, which he would never allow before. Pamphilus, in his Apology[118] for Origen, speaks the matter a little more plainly: for he makes it an instance of his sedulity in studying and preaching the word of God, that he not only composed a great number of laborious treatises upon it, but preached almost every day extempore sermons in the church; which were taken from his mouth by the notaries, and so conveyed to posterity by that means only. The Catechetical Discourses of St. Cyril are supposed to be of this kind; for at the beginning of every one, almost, it is said in the title to be, *σχεδιασθεῖσα*, which Suidas and other critics expound, an extempore discourse. St. Jerom says, Pierius thus expounded the Scripture.[119] St. Chrysostom also sometimes used this way of preaching, being of a ready invention and fluent tongue. Sozomen[120] says, After his return from banishment, the people were so desirous to hear him, that he was forced to go up into the episcopal throne, and make an extempore discourse to them, which is now extant[121] in his second tome in Latin. Suidas also gives him this character,[122] That he had a tongue flowing like the cataracts of Nile, whereby he spake many of his panegyrics upon the martyrs extempore, without any hesitation. And it appears from several of his sermons, that he often took occasion in the middle of a discourse, from some accidental hint that was casually given, to turn his eloquence from the subject in hand, and make some extempore apostrophe to the people, either of praise and commendation, or of reproof and correction, as the occasion of the thing required; as in that sermon we have already mentioned, sect. 8, where he takes occasion, from the people's turning their eyes to see the lighting of the candles, to reprove their negligence[123] in turning away their attention from him, who was holding forth to them a greater light from the Holy Scriptures. And there are many other such apostrophes and occasional reflections throughout his homilies, which must needs be extempore, because the occasion of them could not be foreseen, being they were pure contingencies, and things altogether accidental. But Chrysostom was not the only man, whose fluency enabled him to make extempore discourses. For Ruffin, speaking in praise of Gregory Nazianzen and St. Basil, says, There were several of their sermons extant,[124] which they spake extempore in the church, twenty of which he himself had translated into Latin. Socrates gives the same account of Atticus, That though, whilst he was a presbyter, he was used to preach composed and studied sermons, yet afterwards, by industry and continued exercise having gained confidence and a freedom or fluency

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[117] Euseb. lib. 6. cap. 36.

[118] Pamphil. Apol. pro Orig. inter Opera Origen. t. 1. p. 756. Quod præ cæteris verbo Dei et doctrinæ operam dederit, dubium non est et ex his quæ ad nos laboris et studii ejus certissima designantur Indicia: præcipue vero per eos tractatus, quos pene quotidie in ecclesia habebat extempore, quos et describentes notarii ad monumenta posteritatis tradebant. Dr. Cave reckons his homilies upon Gen., Exod., Levit., and Numbers, to be all extempore. Vid. Cave, Hist. Liter. vol. 1. p. 78

[119] Hieron. Procœm. in Hosea.

[120] Sozom. lib. 8. cap. 18.

[121] Chrys. Sermo post Reditum, t. 2. p. 49. in Appendice.

[122] Suidas, Voce Joannes, t. 1. p. 1258. Τὰς τῶν μαρτύρων δὲ πανηγύρεις ἐπηύξησεν ἐν τῷ σχεδιάζειν ἀνεμποδίστως, κ. τ. λ.

[123] Chrys. Hom. 4. in Gen. t. 2. p. 902.

[124] Ruffin. Hist. lib. 2. cap. 9. Extant quoque utriusque ingenii monumenta magnifica tractatuum, quos extempore in ecclesiis declamabant, &c.

of speaking, he preached extempore to the people;[125] and his sermons were so well received by his auditors, that they took them down in writing. Sozomen, indeed, gives a different account of them; for he says,[126] His performances were so mean, that though they had a mixture of heathen learning in them, yet his auditors did not think them worth writing. However, they both seem to agree in this, that whatever characters they bare, they were extempore discourses. Sidonius Apollinaris[127] seems to give the like account of Faustus, bishop of Riez in France; for he says, Some of his discourses were *repentinæ*, and others *elucubratæ*, that is, the one spoken off-hand, and the others elaborate and studied. And there is nothing more certain, than that St. Austin did often use the extempore way. For he sometimes preached upon places of Scripture that were accidentally read in the church, and which he knew nothing of before he came thither. Of which we have an undeniable instance in one of his homilies,[128] where he tells us, he was determined to preach upon a certain psalm about repentance, which he thought nothing of before the reader chanced to read it of his own accord in the church. And in another place he tells us,[129] When he had appointed the reader to read a certain psalm, upon which he intended to preach, the reader, in some hurry, read another in its room; and this obliged him to preach an extempore sermon upon that psalm that was so accidentally read in the church. Possidius also, in his Life, mentions a sermon, wherein he left his subject that he was discoursing upon, to dispute against the Manichees, which he had no thoughts[130] to have done when he first began to preach; but he reckoned it was the providence of God that directed him so to do, to cure the error of some latent Manichee in the congregation. And it is very probable, that many of his sermons upon the Psalms were extempore, because he so often uses the phrase, *quantum Deus donaverit*, as God should enable him to speak; which seems to imply, that he spake without any previous study or composition. It is evident, his sermon on the 86th Psalm was of this kind; for he says, he would explain it[131] as God should enable him, seeing it was appointed by his holy father the bishop, then present: but such a sudden appointment would have been an oppression, were it not that the prayers of the proponent gave him continual assistance. For indeed they looked upon it as so necessary a work to preach continually, that when they had not time to compose beforehand, they doubted not but that the grace of God, and a peculiar assistance of the Spirit, would concur with their honest endeavours in such sudden undertakings. Nay, Gregory the Great, who also used this way in explaining some of the most difficult books of Scripture, as particularly Ezekiel, scruples[132] not to say, that he often found those obscure places of Scripture, which he could not comprehend in his private study, to flow in upon his understanding when he was preaching in public to his brethren.

Sect. 12. What meant by preaching by the Spirit.

And in regard to this, they are wont frequently to mention the assistance of the Spirit, both in composing and preaching their sermons. Thus Chrysostom[133] says in one of his sermons, when he had the happiness to see a large auditory, and a table well furnished with guests, that then he expected the grace of the Spirit to sound in his mind. In another,[134] I do not think that I spake those words of myself, but God, that foresaw what would happen, put those words into my mind. And again,[135] speaking of the preaching of Flavian his bishop, he says, It was not human thought that poured forth his discourse, but the grace of the Holy Spirit: as it was not the nature of the vine, but the power of Christ, that made the water wine. St. Austin also often speaks of such illapses and assistances of the Spirit in preaching; which he sometimes calls the gift of God,[136] sometimes the revelation of the Spirit,[137] and sometimes the help of God, and his Divine assistance. In one place more particularly, speaking of his unwillingness to preach before certain bishops when he was but young, he brings them in making this answer: If thou art in want of words, "Ask, and it shall be given[138] thee: for it is not ye that speak,"

[125] Socrat. lib. 7. cap. 2.

[126] Sozom. lib. 8. cap. 27.

[127] Sidon. lib. 9. Ep. 3. ad Faustum Regiensem. Licet prædicationes tuas, nunc repentinas, nunc, cum ratio poposcerit, elucubratas, raucus plausor audierim, &c. Gennadius de Scriptor. cap. 40, gives the same account of Maximus Taurinensis.

[128] Aug. Serm. 27. ex 50. t. 10. p. 175. See before, Book XIV. chap. 1. sect. 6.

[129] Aug. in Psal. cxxxviii. p. 650.

[130] Possid. Vit. Aug. cap. 15.

[131] Aug. in Psal. lxxxvi. p. 390. Hic nobis, quantum Dominus donare dignatur, cum vestra charitate tractandus modo est, propositus a beatissimo præsente patre nostro. Repentina propositio me gravaret, nisi me continuo proponentis sublevaret oratio.

[132] Greg. Magn. Hom. 19. in Ezek. p. 1141. Non hoc temeritate aggredior, sed humilitate. Scio enim, quia plerumque multa in sacro eloquio, quæ solus intelligere non potui, coram fratribus meis positus intellexi, &c.

[133] Chrys. Hom. 23. de Verbis Apost. Habentes eandem Fidem, &c. t. 5. p. 331. *Προσδοκῶ τὴν τοῦ Πνεύματος χάριν ἐνηχῆσαι ἡμῶν τῇ διανοίᾳ.*

[134] Hom. 2. ad Pop. Antioch. t. 1. p. 30.

[135] Hom. 2. de Verbis Esaiæ, t. 2. p. 331.

[136] Aug. Serm. 17. de Verbis Apost. t. 10. p. 132. Donante illo, &c. Et passim Sermon. in Psalmos, 34, 96.

[137] Aug. Serm. 15. de Verb. Apost. Ut ea quæ ille nobis revelare dignetur, ad vos apte et salubriter proferre possimus. Vid. ibid. Serm. 14 et 15.

[138] Aug. Serm. 46. de Tempore, t. 10. p. 240. Si sermo deest, pete et accipies. Non enim vos estis qui loquimini: sed quod datur vobis, hoc ministratis nobis. It. de Doctrina Christi, lib. 4. cap. 15, he has more to the same purpose.

but ye minister what is given unto you. If a man would disingenuously interpret these and the like expressions of the ancients, he might make them seem to countenance that preaching by the Spirit, which some so vainly boast of, as if they spake nothing but what the Spirit immediately dictated to them, as it did to the apostles, by extraordinary inspiration. Which were to set every extempore, as well as composed discourse upon the same level of infallibility with the gospel. Which sort of enthusiasm the ancients never dreamed of. For, notwithstanding the assistance of the Spirit they speak of, they always put a wide difference between the apostles' preaching and their own, styling the one infallible and authentic, as we have heard before[139] out of St. Austin and others, and themselves only fallible expositors of the Scripture. All, therefore, they pretended to from the assistance of the Spirit, was only that ordinary assistance which men may expect from the concurrence of the Spirit with their honest endeavours, as a blessing upon their studies and labours; that whilst they were piously engaged in his service, God would not be wanting to them in such assistance as was proper for their work, especially if they humbly asked it with sincerity by fervent supplication and prayer.

Sect. 13. What sort of prayers they used before sermons, and in, and after them.

And upon this account it was usual for the preacher many times to usher in his discourse with a short prayer for such Divine assistance, and also to move the people to pray for him. St. Austin, in the aforesaid homily, having mentioned the assistance of the Spirit, immediately adds, Whither shall I betake myself, thus violently pressed in these straits, but to the footstool of charity, or grace of the Holy Spirit? And to that I make now my supplication,[140] that he would grant me ability to speak something worthy of him, whereby I may at once fulfil my ministry, and satisfy your desire. And in his book of Instructions of the Christian Orator,[141] where he prescribes many excellent rules for preaching, he lays down this, among others, That the Christian orator should pray both for himself and others before he begins to teach; that he may be able to speak those things that are holy, just, and good; and that his auditors may hear him with understanding, with willingness, and with an obedient heart. To this end, before he looses his tongue to speak, he should lift up his thirsting soul to God, that he may be able to discharge what he has imbibed, and pour forth to others that wherewith he has filled himself. And this the rather, because both we and all our words are in the hand of God, who teaches us both what to speak, and after what manner to speak. And therefore, though ecclesiastical men ought to learn what they are to teach, and to get the faculty of speaking; yet when the hour of speaking comes, they should imagine that what our Lord says,[142] belongs to every good soul: "Take no thought how or what ye shall speak, for it shall be given to you in that hour what ye shall speak: for it is not ye that speak, but the Spirit of your Father that speaketh in you." If, therefore, the Holy Spirit speak in them, who are delivered up to persecutors for the name of Christ, why should he not also speak in those who preach Christ to them that are disposed to learn him? I have related this passage at length, both because it shows us to what degree they depended on the Spirit's assistance in preaching, and also what sort of prayers those were which they commonly made before sermon; viz. not the common prayers of the church, (as some mistake, who measure all usages of the ancient church by the customs of the present,) but these short prayers for the assistance and conduct of the Spirit, to direct both them and the people in speaking and hearing. And wherever we meet with any mention of prayer before sermon, it is to be understood only of this short sort of prayers, in ancient writers. Such as that of St. Austin's, in one of his homilies upon the Psalms, which begins with these words: Attend to the psalm, and the Lord[143] grant us ability to open the mysteries that are contained in it. He begins another thus: My lords and brethren, (meaning the bishops then present,) and the Lord of all by them, have commanded me to discourse upon this psalm, that you may understand it,[144] so far as the Lord shall grant us understanding. And may he by your prayers assist me, that I may speak such things as I ought to speak, and such as ye ought to hear: that the word of God may be profitable to us all. In this sense

[139] Aug. Ep. 19. ad Hieron. See before in this chap. sect. 1.

[140] Aug. Hom. 46. de Tempore. His coarctatus angustiis, quo me conferam, nisi ad sancta vestigia charitatis? Eamque deprecor, ut donet mihi aliquid dignum de se dicere, quo et meum ministerium, et vestrum satiem desiderium. Vid. Hom. 51. de Diversis.

[141] De Doctrin. Christ. lib. 4. cap. 15. Noster eloquens, orando pro se, ac pro illis quos est allocuturus, sit orator antequam dictor. al. doctor. Ipsa hora jam ut dicat accedens, priusquam exserat proferentem linguam, ad Deum levet animam sitientem, ut eructet quod biberit, vel quod impleverit fundat, &c.

[142] Ibid. Ad horam vero ipsius dictionis illud potius bonæ menti cogitet convenire quod Dominus ait: Nolite cogitare quomodo aut quid loquamini; dabitur enim vobis in illa hora quid loquamini: non enim vos estis qui loquimini, sed Spiritus Patris vestri qui loquitur in vobis. Si ergo loquitur in eis Spiritus Sanctus qui persequentibus traduntur pro Christo, cur non et in eis qui tradunt discentibus Christum?

[143] Aug. in Psal. xci. p. 417. Attendite ad psalmum: det nobis Dominus aperire mysteria quæ hic continentur.

[144] In Psal. cxxxix. Jusserunt domini fratres, et in ipsis Dominus omnium, ut ipsum psalmum afferam ad vos intelligendum, quantum Dominus donat. Adjuvet orationibus vestris, ut ea dicam quæ opôrtet me dicere et vos audire: uti omnibus nobis sit utilis sermo Divinus.

we are to understand St. Chrysostom, when he says, We must first pray,[145] and then preach. So St. Paul does, praying in the prefaces of his Epistles, that the light of prayer, as the light of a candle, may lead the way to his discourses. Such is that prayer which St. Ambrose[146] is said to use before his sermons: "I beseech thee, O Lord, and earnestly entreat thee, give me a humble knowledge, which may edify; give me a meek and prudent eloquence, which knows not how to be puffed up, or vaunt itself upon its own worth and endowments above its brethren. Put into my mouth, I beseech thee, the word of consolation, and edification, and exhortation, that I may be able to exhort those that are good to go on to greater perfection, and reduce those that walk perversely to the rule of thy righteousness, both by my word and by my example. Let the words which thou givest to thy servant, be as the sharpest darts and burning arrows, which may penetrate and inflame the minds of my hearers to thy fear and love." But this seems rather to have been a private prayer of St. Ambrose between God and himself, as Bishop Wettenhal[147] and Mr. Thorndike[148] understand it: who yet are mistaken in one thing, when they suppose that the common prayers of the church came before the sermon, and that there were no other prayers before sermon but those: for nothing is more certain, than that the common prayers did not begin till the sermon was ended; and yet there were such short prayers for grace and assistance, as we are speaking of, peculiarly adapted to the business of preaching and hearing, and not respecting any other subject. And sometimes the people's prayers were required to be joined with them, as appears from that of St. Austin,[149] in one of his homilies upon the Psalms, where he desires the people to assist him with their prayers to the Lord, that he would grant him ability to explain the latent mysteries and difficulties of the Psalms, as well for their sakes as his own. In Origen's homilies upon Genesis, Exodus, Leviticus, Numbers, Kings, Jeremiah, Ezekiel, and St. Luke, there are abundance of such short prayers, not only in the beginning of his discourses, but sometimes also in the middle of them, when any more abstruse passage of Scripture presented itself to consideration; and generally in the close he makes another such short prayer in a few words suitable to the subject, sometimes praying for himself and the people, and sometimes exhorting them to pray for themselves and him. All which being produced at large in a noted book of Mr. Daillé's,[150] I shall not think it needful to transcribe them in this place. But I cannot omit to observe, that as St. Austin often began his sermon with a short prayer, so he usually ended it with another of the like nature; the forms of which are some of them now to be found at the end of several of his homilies. In some of them[151] we have this form at length: "Let us now turn to the Lord God, our Father Almighty, with a pure heart, and give him thanks with all our might, beseeching his singular clemency, with our whole soul, that of his good pleasure he would vouchsafe to hear our prayers; that he would drive away the enemy from all our thoughts and actions by his power; that he would increase our faith, govern our minds, grant us spiritual thoughts, and conduct us to everlasting happiness, through Jesus Christ his Son, our Lord, who liveth and reigneth with him in the unity of the Holy Ghost, one God, world without end. Amen." And in many other homilies this prayer is referred to as a known form[152] used frequently by him in the close of his sermons: *Conversi ad Dominum*, &c. But he sometimes varied and shortened this form, as the matter of his sermon required. Thus in his long sermon upon the resurrection,[153] having said, That the saints in the next world will keep a perpetual sabbath, and have nothing to do but to sing hallelujah; and applying the words of the psalmist to this purpose, "Blessed are they that dwell in thy house, for they will be always praising thee;" he concludes his sermon with this prayer: "Let us turn to the Lord, and beseech him for ourselves, and all the people that stand with us in the courts of his house; which house may he vouchsafe to preserve and protect, through Jesus Christ his Son our Lord, who liveth, and reigneth with him, world without end. Amen." In another of his homilies (a fragment of which is cited by Sirmond,[154] as it is preserved in Eugippius's collections out of St. Austin's works) he has another form in these words: "Let us turn

[145] Chrys. Hom. 28. de Incomprehensibili Dei Natura, t. 1. p. 363. Πρότερον εὐχὴ καὶ τότε λόγος, κ. τ. λ.

[146] Ambros. Orat. ap. Ferrarium de Concionib. Veter. lib. 1. cap. 8. Obsecro Domine, et suppliciter rogo, da mihi semper humilem scientiam, quæ ædificet, da mitissimam sapientem eloquentiam, quæ nesciat inflari, et de suis bonis super fratres extolli, &c.

[147] Wettenhal, Gift of Prayer, chap. 4. p. 116.

[148] Thorndike's Just Weights and Measures, chap. 16.

[149] Aug. in Psal. cxlvii. p. 699. Adsit ergo nobis apud Dominum Deum nostrum iste affectus precum vestrarum: etsi non propter nos, certe propter vos donare dignetur, quod hic absconditum latet. Vid. Homil. 50. de Diversis. Orate ut possimus, &c.

[150] Dallæ. de Objecto Cultus Relig. lib. 3. cap. 13.

[151] Aug. Serm. 30. de Verb. Dom. t. 10. Et Serm. 102, de Diversis, et 120. Et Serm. 18. ex editis a Sirmondo.

[152] Aug. de Verb. Dom. 1, 5, 7, 8, 10, 14, 31, 32, 37, 40. Et passim Homiliis de Diversis.

[153] De Divers. Ser. 121.

[154] Fragment. Homil. ex Eugippii Thesauro, lib. 2. cap. 288. ap. Sirmond. Not. in Aug. Homil. 18. a se edit. Audistis me, credo, fratres mei, quando dico, conversi ad Dominum benedicamus nomen ejus, de nobis perseverare in mandatis suis, ambulare in via eruditionis suæ, placere illi in omni opere bono, &c., ne vos sine causa amen subscribatis

to the Lord, and bless his name, that we may have grace to persevere in his commandments, to walk in the way of his instructions, and please him in every good work," &c. From all which it is manifest, they used such short prayers both in the beginning and conclusion of their sermons, and sometimes, as occasion required, in the middle of them also, and that these were distinct from the common prayers of the church.

Sect. 14. The salutation, *Pax vobis*, "The Lord be with you," commonly used before sermons.

Before they began to preach, it was usual also, in many places, to use the common salutation, *Pax vobis*, "Peace be unto you," or, "The Lord be with you," which was the usual preface and introduction to all holy offices, to which the people answered, "And with thy spirit." This the author of the Constitutions calls, *πρόσρησιν*, the salutation, giving this rule to the bishop newly ordained: After the reading of the Law, and the Prophets, and the Epistles, and the Acts, and the Gospels, let him[155] salute the church, saying, "The grace of our Lord Jesus Christ, and the love of God the Father, and the fellowship of the Holy Ghost, be with you all:" and let all the people answer, "And with thy spirit:" and after this salutation, *μετὰ τὴν πρόσρησιν*, let him speak to the people the words of exhortation. And that this author did not impose any new custom upon the church, appears from Chrysostom, who, in several of his homilies, makes mention of it. In his third homily upon the Colossians, he says, The bishop, when he first entered the church, said, "Peace be unto you all;" and when he began[156] to preach, "Peace be unto you all." And a little before he says, the bishops used it, *ἐν ταῖς προσρήσεσι*, by which he means their sermons, or at least, the form of salutation itself ushering in the sermon, as we have seen the author of the Constitutions understands it. Chrysostom[157] adds, That the people returned the salutation of peace to him that gave it, saying, "And with thy spirit." In another place he says, Nothing is comparable to peace and unity: and for this reason the father, the bishop, when he enters the church, before he goes up to his throne, prays for peace to all; and when he rises up to preach, he does not begin to discourse[158] before he has given the peace to all. In other places he opens the reason of this practice, by declaring the original intent and design of it. For, he says, it was an ancient custom in the apostles' days, when the rulers of the church had the gift of inspiration, and spake as they were moved by the Holy Ghost, for the people to say to the preacher, "Peace be with thy spirit:" therefore, now, when we begin to preach,[159] the people answer, "And with thy spirit:" showing, that heretofore they spake not by their own wisdom, but as they were moved by the Spirit. And though this gift of extraordinary inspiration was ceased, yet all preachers still were presumed to be under the conduct and assistance of the Spirit, in a lower degree: and therefore he says[160] in another place, That the Holy Ghost was in their common father and teacher, meaning the bishop, when he went up into the episcopal throne, and gave the peace to them all, and they with one voice answered, "And with thy spirit." And this, not only when he went into his throne, but also when he preached to them, when he prayed, and when he stood by the holy table to offer the oblation. And by this we may understand what Sozomen[161] and others say of Chrysostom after his return from banishment, that the people forced him against his will, before he was synodically reinstated, to go up into the throne, and give them the peace in the usual form, and preach to them. Optatus speaks of the same custom in Africa both in the beginning and end of their sermons. For he says,[162] they used a double salutation; the bishop never began to speak to the people, before he had first saluted them in the name of God. Every sermon in the church began in the name of God, and ended in the name of the same God. And by this he proves, that Macarius, the emperor's officer, did not take upon him the office of a bishop among the catholics, as the Donatists falsely objected against them. For though he spake to the people in the church, yet it was upon some other business, and not by way of preaching, which was the office of bishops, which they always began and ended with this salutation: but Macarius used no such salutation; and from thence he argues that he did not preach. Bona[163] cites also Athanasius's epistle to Eustathius, where he inveighs against the Arian bishops, who, in the beginning of their sermons, used that kind word, "Peace be with you," and yet were always harassing others, and tragically engaged in war. But as there is no epistle under that title among Athanasius's works, I let it rest upon the credit of our author.

155 Constit. lib. 8. cap. 5. Ἀσπασάσθω ὁ χειροτονηθεὶς τὴν ἐκκλησίαν, λέγων, ἡ χάρις τοῦ Κυρίου, κ.τ.λ.

156 Chrys. Hom. 3. in Colos. p. 1338. Ὅταν ὁμιλῇ, λέγει, εἰρήνη πᾶσιν, κ.τ.λ.

157 Ibid. p. 1339. Ἀντιδόντες τῷ διδόντι τὴν εἰρήνην, κ.τ.λ.

158 Hom. 52. in eos qui Pascha jejunant, t. 5. p. 713. Ἀναστὰς οὐ πρότερον ἄρχεται τῆς πρὸς ὑμᾶς διδασκαλίας, ἕως ἂν ἅπασιν ὑμῖν εἰρήνην ἐπεύξηται.

159 Chrys. Hom. 36. in 1 Cor. p. 652.

160 Hom. 36. de Pentecost. t. 5. p. 553.

161 Sozom. lib. 8. cap. 18.

162 Optat. lib. 3. ad calcem, lib. 7. p. 112. Episcopalis tractatus probatur salutatione geminata. Non enim aliquid incipit episcopus ad populum dicere, nisi primo in nomine Dei populum salutaverit. Similes sunt exitus initiis. Omnis tractatus in ecclesia a nomine Dei incipitur, et ejusdem Dei nomine terminatur, &c. It. lib. 3. p. 73. Salutas de pace, qui non amas.

163 Bona, Rerum Liturgic. lib. 2. cap. 5. n. 1.

Sect. 15. But the use of *Ave Marias* before sermons, unknown to the ancients.

But I cannot but observe, that among all the short prayers used by the ancients before their sermons, there is never any mention of an *Ave Maria*, now so common in the practice of the Romish church. Their addresses were all to God, and the invocation of the holy Virgin for grace and assistance before sermons was a thing not thought of. They who are most concerned to prove its use, can derive its original no higher than the beginning of the fifteenth century. For Ferrarius[164] ingenuously confesses, that Vincentius Ferrerius was the first ecclesiastical writer that ever used it before his sermons. Baronius has not a syllable of its antiquity in all his Twelve Centuries; there being a perfect silence both among the ancients and all the ritualists about it, till that Dominican preacher, in his abundant zeal for the worship of the holy Virgin, began to use it before his sermons; from whose example (for he was a celebrated preacher in the age he lived) it gained such reputation and authority, as not only to be prefixed before all their sermons, but to be adapted and joined with the Lord's prayer in the Roman Breviary. Ferrarius says all he can to justify a novelty; but nothing can clear this *hyperdulia* of idolatry; and he might have spared his censure of Erasmus, who says a witty thing upon it, That their preachers were used to invoke the virgin mother in the beginning of their discourses, as the heathen poets were used to do their muses: for Epiphanius would have said much severer things against it, had he had the like occasion given him to inveigh against this idolatry, as he had to censure that of the Collyridians: but then this idolatry was confined to the weaker sex, and had not yet made its way into the pulpits, or any part of the liturgy of the ancient church, when preachers were used to pray for grace and assistance only from Him, who is the proper donor of it.

Sect. 16. Sometimes their sermons were prefaced with a benediction.

I observe further, that as their sermons were thus usually prefaced with a short prayer, so they were sometimes introduced with a short form of benediction. This seems to have been peculiar to times of calamity and distress, or to happy deliverances out of them. There are instances of both kinds in Chrysostom's sermons to the people of Antioch, when they were under apprehensions of being destroyed by the emperor's displeasure. His fourth sermon begins thus: Blessed be God, who hath comforted your sorrowful souls, and comforted your wavering minds. His eleventh, twelfth, thirteenth, and twentieth homilies, begin much after the same manner. And his homily after his return from banishment,[165] is thus prefaced: What shall I say? What shall I speak? Blessed be God. This was the word which I spake when I went away; and this I repeat now at my return. And this he tells them he did after the example of Job, who, in adversity, as well as prosperity, said always, "Blessed be the name of the Lord."

Sect. 17. Sometimes preached without any text, and sometimes upon more texts than one.

It appears further from those homilies,[166] and several others both in him and other writers, that they sometimes preached without any text; only treating of such matters as they thought most proper for the occasion. But most commonly they took their text out of some paragraph of the Psalms or lessons, as they were read. And sometimes they so ordered the matter, as to preach upon the Psalm, the Epistle, and Gospel, all together, when they were either accidentally, or by their own appointment, upon the same subject. Thus St. Austin preached upon the subject of praise and thanksgiving out of the Epistle, the Psalm, and the Gospel together,[167] because they had all something relating to his subject. But they never showed so little reverence for Scripture, as to choose their text out of Aristotle's Ethics, as Sixtinus Amama[168] tells us one of the Romish preachers did at Paris, in the hearing of Melancthon.

Sect. 18. Their sermons always upon important subjects.

Neither did they entertain their auditory with light and ludicrous matters, or fabulous and romantic stories, such as those with which preaching so much abounded in the age before the Reformation; of which Erasmus,[169] and Faber,[170] and Hottinger,[171] and many other learned men, have made so great and so just complaints. There is one instance given by Hottinger, out of one of their authentic books of homilies, which, for its singular vanity, and to show the difference between the ancient and the modern way of edifying a popular auditory, I shall here transcribe out of him, as he relates it in his history. He says, in a book of sermons[172] composed by the Theological Faculty of Vienna, anno 1430, which was read in their monasteries and their churches, this ridiculous story is told, to recommend their relics to the people: That the thirty pieces of gold (though the Scripture calls them silver) which Judas had for betraying his Master, were coined by

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[164] Ferrar. de Ritu Concion. lib. 1. cap. 11. p. 30.

[165] Chrys. Homil. post Reditum, t. 2.

[166] Ibid. Hom. 3, 4, 5, 6. ad Popul. Antioch.

[167] Aug. de Verbis Apost. Serm. 10. t. 10. p. 112. Has tres lectiones, quantum pro tempore possumus, pertractemus, dicentes pauca de singulis, et quantum conari possumus, adjuvante Domino, non in aliqua earum immorantes, &c.

[168] Sixtin. Amama, Orat. de Barbarie. Cited by Mr. Seller, Life of Justin Martyr, p. 123.

[169] Erasm. Moriæ Encomium, p. 176, &c.

[170] Joannes Faber, Declamat. de Humanæ Vitæ miseria, ap. Hottinger. Hist. Eccl. Sæcul. 16. par. 4. p. 1271.

[171] Hottinger. 16. Sæcul. par. 3. p. 263, &c.

[172] Id. Sæcul. 15. p. 63. St. Bernard's censure of such trifles is, Inter seculares nugæ, nugæ sunt: in ore sacerdotis blasphemiæ. De Consider. lib. 2. cap. 13.

Terah, Abraham's father; who was a famous artificer under King Nimrod; that he gave them to his son Abraham; that Abraham therewith purchased the field of Ephron the Hittite; from whence they came into the hands of the Ishmaelites, who therewith bought Joseph, when his brethren sold him into Egypt; that Joseph's brethren paid them to Joseph, when they went to buy corn in Egypt, and so they came into the king of Egypt's treasury; that hence they were given to Moses, when the king of Egypt sent him with an army to subdue Ethiopia; that Moses upon this occasion gave them as a dowry to the queen of Sheba; and the Ethiopian queen afterward made a present of them to King Solomon; who put them into the treasury, where they continued, till Nebuchadnezzar, among the spoil, seized them in the devastation of Jerusalem; Nebuchadnezzar, having an Arabian king among his auxiliaries, made a present of them unto him; and of him sprang one of those Eastern kings, who came to worship Christ at his birth, and made a present of them to the Virgin Mary; and the Virgin, when she presented her Son in the temple, made them an offering for her purification. So this very silver (which was gold before) was the price which Judas had for betraying his Master. And these silver pieces are there said to be dispersed over all the world, and kept as sacred relics, one of which in gold, as big as an English noble, is showed at Rome in the entrance of St. Peter's church. One would hardly believe, that such absurd and ridiculous fictions should have been authorized from the pulpit among the rules of eternal life, had not undeniable proof been often made,[173] that their breviaries and legends, as well as sermons, before the Reformation, were stuffed with such fables; though, I believe, this story outdoes any in the Golden Legend, (of which Ludovicus Vives[174] and Melchior Canus[175] so much complain,) and Jacobus de Voragine was but an ass to these men for invention. Now, let us see how the ancient way of preaching differed from this. Justin Martyr makes it a plain, but a very edifying way of instruction. For he says, When the writings of the apostles and prophets were read, the bishop made a discourse to exhort and excite the people to imitate and transcribe into their practice the good[176] things they had heard read out of them. Their subjects, as Gregory Nazianzen[177] describes the choice of them, were commonly such as these: of the world's creation, and the soul of man; of angels, as well those that kept, as those that lost their first integrity; of Providence, and its wise laws and constitutions; of the formation of man, and his restoration; of the two covenants, the types of the old, and the antitypes of the new; of Christ's first and second coming; of his incarnation and passion; of the general resurrection and end of the world; of the day of judgment, and the rewards of the just, and the punishment of the wicked; and above all, of the doctrine of the Trinity, which was the principal article of the Christian faith. In like manner Chrysostom puts his auditors[178] in mind of what matters he had used to preach to them: of the nature of the soul, of the fabric of the body, of the state of immortality, of the kingdom of heaven and the torments of hell; of the long-suffering of God, and the methods of pardon; of the powers of repentance, of baptism, and the forgiveness of sins; of the creation of the superior and inferior world; of the nature of men and angels; of the subtlety of Satan, and his methods and policies; of the different opinions of the Christian world; of the true faith, and the gangrene of heresies, and other such mysteries, which it behoves a Christian to be acquainted with.

Sect. 19. And delivered in a way most affecting, and suitable to the capacities of their hearers, with perspicuity, pleasure, and force of argument.

And as they were thus careful in the choice of their subjects, so they were no less careful to put their well-chosen matter into the most useful and pleasing dress; that they might answer the true ends of Christian oratory, and, as the wise man words it, make their apples of gold appear the more beautiful by being set in pictures of silver. The design of Christian oratory, as St. Austin[179] observes, is, either to instruct men in the truth, or to refute their errors, or to persuade them to the practice of holiness and virtue, and dissuade them from the contrary vices. The first of these requires plain narration; the second, strength of argument and ratiocination; and the third, the art and power of moving the mind and affections. And in doing each of these, the Christian orator, as he never speaks any thing but what is holy, just, and good, so he endeavours to speak these in such a manner, as that he may be heard with understanding, with pleasure, and with obedience,[180] as the chief thing of all. That he may be heard with understanding, he speaks every thing with a natural plainness and perspicuity, and also a regard to men's capacities and apprehensions. He reckons the greatest oratory of no use, if it cannot be understood: For what signifies a golden key,[181] if it can-

[173] See Patrick's Devotions of the Rom. Church. Lond. 1674. 8vo.

[174] Lud. Vives de Tradend. Disciplinis, lib. 5. p. 360.

[175] Canus, Loci Theolog. lib. 11. cap. 6. p. 553.

[176] Justin. Apol. 2. p. 98. [177] Naz. Orat. 1. de Fuga, p. 15.

[178] Chrys. Hom. 24. de Baptismo Christi, t. 1. p. 309.

[179] Aug. de Doctrina Christ. lib. 4. cap. 4.

[180] Ibid. cap. 15. Agit noster eloquens, cum et justa, et sancta et bona dicit (neque enim alia debet dicere): agit ergo quantum potest, cum ista dicit, ut intelligenter, ut libenter, ut obedienter audiatur.

[181] Ibid. cap. 11. Quid enim prodest clavis aurea, si aperire quod volumus non potest? Aut quid obest lignea, si hoc potest, quando nihil quærimus, nisi patere quod clausum est?

not open what we intend? A wooden key is of more use, if it will answer the true design of a key, which is only to open what is locked up and shut before. Therefore the Christian orator labours chiefly at perspicuity in his speech, never thinking he has done justice to any truth by his eloquence, unless he has also delivered it with a sufficient evidence to men of reasonable capacities and comprehensions. There are some things, which are unintelligible in their own nature, or not to be understood by the ordinary sort of men, though they be spoken with never so much plainness of the orator; and therefore such things are seldom or never, without great necessity, to be handled in a popular[182] audience. For the same reason, he that studies perspicuity and evidence, will sometimes neglect rhetorical expressions, and not regard how sonorous, but how significant his words are, to intimate and declare his sense to the minds of his hearers. For there is a *diligens negligentia*, a useful negligence, proper in this case to ecclesiastical teachers, who must sometimes condescend to improprieties of speech, when they cannot speak otherwise to the apprehensions of the vulgar. As he notes, that they were used to say *ossum*, instead of *os*, to distinguish a mouth from a bone in Africa, to comply with the understandings[183] of their hearers. For what advantage is there in purity of speech, when the hearer understands it not, seeing there is no occasion at all of speaking, if they, for whose sake we speak to be understood, apprehend not what we say? And for this reason, I doubt not, there are so many Africanisms, or idioms of the African tongue, in St. Austin, because he thought it more commendable sometimes to deviate a little from the strict grammatical purity and propriety of the Latin tongue, than not be understood by his hearers. This was a laudable condescension in every respect, and much valued by the ancients, who thought it the first office of a preacher, to speak always to the capacity and understanding of his hearers. It is this which Nazianzen[184] so highly commends in Athanasius, that he tempered his style according to the difference of his auditory: he condescended to speak to mean capacities in a lower way, whilst to the acute, his words and notions were more sublime. And there was but one case in which they affected to speak any thing darkly and obscurely, and that was when they preached in a mixed auditory, where the catechumens were present, from whom they purposely intended to conceal the profounder knowledge of some of the Christian mysteries for a time, and therefore they usually spake of them in a covert way, with an ἴσασιν οἱ μεμυημένοι, The initiated know what we mean, as being well understood by them, though they spake only by hints and dark terms upon the account of the catechumens: of the reasons of which discipline and practice, I have spoken largely heretofore,[185] and therefore need say no more of it in this place.

The next thing which St. Austin commends in his Christian Orator, is, that he labours to be heard with pleasure. *Ut intelligenter, ut libenter.* For though a plain declaration of truth may satisfy those who regard nothing but truth; yet the greater part of men love sweetness and ornament of speech: and therefore, if it be unpleasant, the benefit of it will reach but very few, who are desirous to hear what they ought to learn, though it be in a mean and uncomely[186] dress: but the generality of men are not pleased with this: some similitude between eating and speaking: and therefore, because weak stomachs cannot relish their most necessary food, without which they cannot live, their food is to be seasoned to make it pleasant for them. Upon this account he commends the saying of an ancient orator, who said truly, That an orator[187] ought so to speak, as not only to teach and instruct, but also to delight and move. And some hearers are to be induced to hear by the pleasure of a discourse, which arises from the sweetness, and beauties, and ornaments of it. St. Chrysostom inculcates the same rule, in describing the office of a bishop, whose task, he says, was something the more difficult upon this account,[188] because men had generally nice and delicate palates, and were inclined to hear sermons as they heard plays, rather for pleasure than profit: which added to the preacher's study and labour; who, though he was to contemn both popular applause and censure, yet was he also to have such a regard to his auditory, as that they might hear him with pleasure, to their edification and advantage. It was not required, indeed, that every preacher should speak with the smoothness of Isocrates, or the loftiness of Demosthenes, or the majesty of Thucydides, or the sublimity of Plato, as the same St. Chrysostom[189] words it. Lower degrees of eloquence, says St. Austin, would please a Christian auditory, provided he had a decent regard to the common rules of eloquence, to say nothing *obtuse, deformiter, frigide*, nothing that was blunt, nothing that was indecent

[182] Aug. de Doctrina Christ. lib. 4. cap. 9.

[183] Ibid. cap. 10. Cur pietatis doctorem pigeat imperitis loquentem ossum potius quam os dicere, &c.

[184] Naz. Orat. 21. de Laud. Athan. p. 396.

[185] Book X. chap. 5.

[186] Aug. de Doctrin. Christ. lib. 4. cap. 11. Si fiat insuaviter, ad paucos quidem studiosissimos suus pervenit fructus, qui ea quæ discenda sunt, quamvis abjecte inculteque dicantur, scire desiderant.——Sed quoniam inter se habent nonnullam similitudinem vescentes atque dicentes, propter fastidia plurimorum etiam ipsa sine quibus vivi non potest, alimenta condienda sunt.

[187] Aug. ibid. cap. 12. Dixit ergo quidam eloquens, et verum dixit, ita dicere debere eloquentem, ut doceat, ut delectet, ut flectat.—Ut teneatur ad audiendum, delectandus est auditor: et delectatur, si suaviter loquaris.

[188] Chrys. de Sacerdotio, lib. 5. cap. 1.

[189] Chrys. ibid. lib. 4. cap. 6.

or unbecoming, nothing that was cold or languid; but every thing *acute, ornate, vehementer*, with sharpness, and handsomeness, and force: which are St. Austin's rules in this very case.[190] Or if men could not attain to this perfection of exotic eloquence, yet there was a manly and majestic eloquence, an art of speaking wisely, which no one could fail of, that would diligently study the Holy Scriptures. For there the subject is not only great and Divine, but the diction also eloquent and beautiful, as St. Austin shows in several instances out of the apostles and prophets;[191] the style not glittering with sallies, and flashes of juvenile wit, (which would not become a manly eloquence,) but altogether agreeable to the dignity and authority of the persons who were the inspired authors of it; who spake with an eloquence becoming both themselves and their subjects; such as is no ways inferior to the eloquence many times of the greatest masters and pretenders to it, and for its wisdom (which is the most true divine eloquence) far exceeds them. They therefore who were well versed both in the phrase and sense of the Scriptures, and knew how to make a proper use and application of them, could never want true eloquence to recommend their discourses with pleasure to their hearers. And, indeed, the very custom of applauding the preachers publicly in the church (of which more by and by) is a certain evidence that they were commonly heard with pleasure.

The last thing which St. Austin commends in the Christian orator, is, that he endeavours to be heard *obedienter;* that is, speaks to the conviction and persuasion of his hearers; convincing their judgments by sound and solid reasonings; and raising the affections, and drawing them into compliance, by such motives, and methods, and addresses, as are proper to work upon the several passions of human nature, and bend and subdue the will, and lead it captive into the obedience of faith. When the sacred orator has done this, he is at his utmost height: then he leads his hearers, as it were, willingly in triumph, having gained a complete and pleasing victory over them. For, as St. Austin again observes, till men are wrought into compliance and obedience by the orator, they are not properly conquered by him. For they may be taught[192] and pleased, and yet yield no compliance or practical assent; without which, the two former are of no advantage: but when his oratory has gained their wills, it has then subdued all opposition, and gotten a complete victory. Now, this is done, as St. Austin there goes on to intimate, when the orator can bring men to love what he promises, to fear what he threatens, to hate what he rebukes, to embrace what he commends, to sorrow for what he aggravates as sorrowful, to rejoice at what he amplifies as matter of rejoicing, to commiserate those whom he represents before their eyes as objects of compassion, to avoid and fly from those whom he brands and stigmatizes as dangerous persons, and gives them terrible apprehensions of, as men with whom it is not safe to converse; and whatever else may be done by force of grand eloquence, to move the minds of the hearers, not to know what they are to do, but to do what they already know to be their duty to do. This he calls by the name of *grandis eloquentia, et gravis*,[193] grand and grave eloquence; and opposes it to what he calls *spumeus verborum ambitus*, that light and frothy sort of eloquence, which consists only in a jingling multiplicity of words, which does not become any subject, much less the gravity of a Christian discourse upon the weightiest and most serious of all subjects, where nothing is said but what is great, as having no regard to the affairs of this temporal life, but to the things of eternal happiness and eternal misery. For, if a Christian orator speaks of temporal things, though they be small in themselves, yet they are great in his way of handling them; because he treats of them with respect to justice, and charity, and piety in the use of them, which are great things in the smallest matters. As when the apostle speaks of going to law for pecuniary matters, 1 Cor. vi. 1, &c., he uses all the force of grand eloquence, raising his indignation, correcting, upbraiding, rebuking, threatening, and showing the concern of his soul by sharpening his style into the utmost keenness and quickness of expression; not because secular affairs deserved all this, but for the sake of justice, charity, and piety, that were so deeply concerned in them. Thus he observes again,[194] That a cup of cold water is but a small thing in itself, but it was great in our Lord's mouth, when he said, He that gives it to a disciple, shall not lose his reward. He adds, That he himself once spake so movingly and affectionately, by the help of God, upon that subject to the people, that out of that cold water there arose a flame, which warmed the cold hearts of men, and inflamed them to do works of mercy in hopes of a heavenly reward. But he observes further, That although a preacher upon this account ought never to speak but of great things, yet he is not always obliged to

[190] Aug. de Doct. Christ. lib. 4. cap. 5. Cum alii faciant obtuse, deformiter, frigide; alii acute, ornate, vehementer; illum ad hoc opus jam oportet accedere, qui potest disputare vel dicere sapienter, etiamsi non potest eloquenter.—— Sapienter autem dicit homo tanto magis vel minus, quanto in Scripturis Sanctis magis minusve profecit.

[191] Ibid. cap. 6 et 7.

[192] Ibid. cap. 12. Ideo autem victoriæ est flectere, quia fieri potest ut doceatur, et delectetur, et non assentiatur. Quid autem illa duo proderint, si desit hoc tertium?

[193] Ibid. cap. 13 et 14.

[194] Ibid. cap. 18.

to this *granditer*, in the way of vehement and grand eloquence, or the elated and lofty style; but when he speaks only to inform the judgment,[195] the submiss or low style is to be used, as more proper for doctrinal instruction; and the temperate or middle style, when he speaks to praise or dispraise; but when any thing is to be done, and they to whom he speaks are unwilling to do it when they ought to do it, then those things which are great in themselves, are to be spoken *granditer*, in a grand and vehement style, or in such a way as is proper to incline and bend the wills of the hearers. And sometimes every one of these three ways is used about the same subject; the submiss style, when any doctrine is delivered about it; the temperate style, when any commendation is to be given to it; and the grand style, when the mind that is averse from its duty, is to be converted and forcibly induced to practise it. Thus; if a man is discoursing concerning God; to show the unity of the Trinity, he ought only to reason in the submiss and plain way, that what is difficult to be conceived, may be understood, as far as men are capable of understanding it. Here is no ornament required, but only plain documents and instruction. But when God is to be praised, either in himself or his works, then there is a fair occasion for beautiful and splendid oratory, to extol him whom no man can sufficiently praise. And, again, if his worship be neglected, or other things be taken in to rival him in his worship, whether they be idols, or devils, or any other creature, then the evil of the practice is to be aggravated with all the grandeur and vehemence of oratory, to dissuade and turn men from it. And he gives us several instances of all the three kinds, both out of Scripture and the ancient writers, Cyprian and Ambrose, assuring us in the end, That what he had said of those two, might be found in the writings and discourses of other ecclesiastical men,[196] who treated always of weighty subjects in a proper manner, that is, as the matter required, with perspicuity and acuteness, with ornament and beauty, with ardency and grandeur in their applications. So that if we will take St. Austin's character of the ancient preachers, it was, in short, this; That their discourses were always upon weighty and heavenly matters, and their style answerable to the subject, that is, plain, elegant, majestic, and nervous; fitly adapted to instruct, to delight and charm, and to convince and persuade their hearers. And if their method was different from ours, or not so exact, and visible to the hearers, that must be imputed to custom and the times they lived in; for every age has its peculiarities and proper taste of things; and though I believe the modern way of methodizing sermons to be most useful to the hearers, yet if the question were to be determined by the rules and practice of the most famous orators, whether an open or a concealed method were fittest to be chosen, the judgment and decision would fall upon the side of the ancients. However, if they failed in this, they made it up in other excellencies, by their perspicuity and clearness, their elegancy and fineness, their sublimity of thought and expression, and above all, by the flaming piety of their lives, corresponding to their doctrine, and giving the greatest force and energy to all their discourses. For, as St. Austin truly observes in the last place,[197] The life of the preacher has more weight in it, than the greatest grandeur and force of eloquence, to induce his hearers to obedience; for he that preaches wisely and eloquently, but lives wickedly, may edify some who are desirous to learn and observe the commands of Christ; as many will learn from the scribes and the Pharisees, who sit in Moses's chair, and say, and do not; but he that lives as he speaks, will advantage abundance more. For men are very apt to ask this question, *Quod mihi præcipis, cur ipse non facis?* Why dost not thou do that which thou commandest me to do? and so it comes to pass, that they will not obediently hear him, who does not hear himself, but contemn both the word of God and the preacher together. But he whose life is unblamable, his very example is grand oratory, and his form of living an eloquent discourse, *copia dicendi forma vivendi.*[198] And by these methods, what by their oratory, what by their example, the ancients gained so much upon their hearers, as often to receive their public acclamations, and hear their groanings, and see their tears, and, what was most delightful of all, found the happy effects of their labour in their holy obedience and sincere conversion. But of these, more presently, when we come to the hearers, having made two or three remarks more concerning the preachers.

Sect. 20. That it was no part of the ancient oratory to move the passions by gesticulations and vain images of things.

And among these, I must observe one thing negatively, that it was no part of the ancient oratory to raise the affections of their hearers, either by gesticulations, or the use of external shows and representations of things in their

[195] Aug. de Doct. Christ. lib. 4. cap. 19. Et tamen cum doctor iste debeat rerum dictor esse magnarum, non semper eas debet granditer dicere; sed submisse, cum aliquid docetur; temperate, cum aliquid vituperatur sive laudatur. Cum vero aliquid agendum est, et ad eos loquitur, qui hoc agere debent, nec tamen volunt, tunc ea quæ magna sunt, dicenda sunt granditer, et ad flectendos animos congruenter.

[196] Ibid. cap. 21. In his autem, quos duos ex omnibus proponere volui, et in aliis ecclesiasticis viris, et bona et bene, id est sicut res postulat, acute, ornate, ardenterque dicentibus, per multa eorum scripta vel dicta possunt hæc tria genera reperiri, et assidua lectione vel auditione, admixta etiam exercitatione, studentibus inolescere.

[197] Ibid. cap. 27. Habet autem ut obedienter audiatur quantacunque granditate dictionis majus pondus vita dicentis, &c.

[198] Ibid. cap. 29.

sermons, as is now very common in the Romish church, especially when they preach upon our Saviour's passion, to produce a cross, and the image of Christ bound to a pillar, and whip it to death, and show the nails, and tear a veil, and many other the like things to create sorrow in their hearers. Ferrarius[199] owns there was no such practice among the ancients, and confesses, that except it be done very appositely and prudently, it is more apt to excite laughter than sorrow. And which of the two it oftener produces, is easy to guess, as well from the nature of the thing, as the complaints of wise men against it. What Ferrarius produces out of Chrysostom,[200] bidding the people take St. John Baptist's head into their hands, and carry it home with them, and hear it speak, is nothing to the purpose; for this is only a rhetorical scheme, made up of two usual figures among orators, an *hypotyposis* and *prosopopœia*, that is, a lively description of a thing, and an introduction of a person speaking; which are figures that have a mighty influence upon the mind to raise in it a just concern, but are no precedents for such practices as rather incline men to ridicule and laughter, of which there is no footstep in the ancient oratory of the church.

Sect. 21. Of the length of their sermons.

Next to the matter and style of their sermons, the question may be asked concerning the length of them. Ferrarius[201] and some others are very positive, that they were generally an hour long: but Ferrarius is at a loss to tell by what instrument they measured their hour; for he will not venture to affirm, that they preached as the old Greek and Roman orators declaimed, by an hour glass; which yet he might have said with as much truth, as that all their sermons were an hour long, from no better proof, than their mentioning sometimes the hour of preaching, which signifies no more than the time in general, as, "the hour of temptation," and "the hour cometh," and "my hour is not yet come," are often used in Scripture. It is a more just and pertinent observation of Bishop Wettenhal's,[202] That their sermons were often very short: there are many in St. Austin's tenth tome, which a man may pronounce distinctly and deliver decently in eight minutes, and some almost in half the time: and such are many of those of Leo, Chrysologus, Maximus, Cæsarius Arelatensis, and other Latin fathers. Some of St. Austin's are much longer, and so are the greater part of Chrysostom's, Nazianzen's, Nyssen's, and Basil's; but scarce any of them would last an hour, and many not half the time: and when it is considered, that they had many times two or three sermons at once, as I have showed it was very usual in Chrysostom's church, it would be absurd to think, that each of them was an hour long, when the whole service lasted not above two hours in the whole; as Chrysostom[203] often declares in his sermons, making that an argument to the people, why they should cheerfully attend Divine service, since of seven days in the week God had only reserved one to himself, and on that day exacted no more than two hours, like the widow's two mites, to be spent on his service.

Sect. 22. Whether every man was obliged to preach his own composition, or the homilies and sermons composed by others.

It may be inquired further, Whether all preachers were obliged to deliver their own compositions, or were at liberty to use the compositions of others? To this it has been already answered in some measure, that the homilies of famous preachers, such as Chrysostom and Ephrem Cyrus, were often read instead of other sermons from the pulpit in many churches. And Mabillon says,[204] those of Cæsarius Arelatensis were read in the French churches; where also deacons were authorized by the council of Vaison,[205] in cases of necessity, when the preaching presbyter was disabled, to read the homilies of the ancient fathers in country churches. Neither was this only the practice of deacons, but bishops sometimes also did the same. For Gennadius says,[206] Cyril of Alexandria composed many homilies, which the Grecian bishops committed to memory, in order to preach them. He says the same of Salvian,[207] the eloquent presbyter of Marseilles, that he wrote many homilies for bishops, *homilias episcopis factas multas*, which Ferrarius[208] and Dr. Cave understand, not of homilies made before bishops, but for their use: whence he is also styled by Gennadius in the same place, *episcoporum magister*, the teacher or master of bishops, because they preached the eloquent homilies which he composed. Ferrarius and Sirmondus[209] observe the same of some of the *dictiones sacræ*, or sermons of Ennodius, which are said to be written by him, and spoken by others: Honoratus, bishop of Novaria, is named for one. St. Austin more particularly considers this question, and makes a case of conscience of it. For having laid down all the rules of Christian oratory for those who had ability to com-

[199] Ferrar. de Ritu Concion. lib. 1. cap. 31.

[200] Chrys. Hom. 14. ad. Pop. Antioch. p. 177.

[201] Ferrar. de Ritu Concion. lib. 1. cap. 33.

[202] Wettenhal's Gift of Preaching, chap. 2. p. 666.

[203] Chrys. Hom. 48. de Inscript. Altaris, t. 5. p. 648. Hom. 50. de Util. Lection. Script. ibid. p. 676. Hom. 24. de Bapt. Christi, t. 1. p. 309.

[204] Mabil. de Liturg. Gallican. lib. 2. p. 99.

[205] Conc. Vasens. 2. can. 2.

[206] Gennad. de Scriptor. cap. 57. Homilias etiam composuit plurimas, quæ ad declamandum Græciæ episcopis commendantur.

[207] Gennad. ibid. cap. 67.

[208] Ferrar. de Ritu Concion. lib. 2. cap. 7. Cave, Hist. Literar. vol. 1. p. 346. Du Pin, Centur. 5. p. 146.

[209] Sirmond. Not. in Ennodium. Dictio 2. missa Honorato in Dedicatione Basilicæ, &c.

pose, he at last confesses, there were some who, though they could speak well, were not able to invent and compose a handsome discourse of their own: and he does not severely condemn them, or with a magisterial air debar them from preaching, but with a great deal of tenderness says favourably in their case,[210] that if they take that which was elegantly and wisely written by others, and commit it to memory, and preach it to the people, if they are called to that office, they are not to be blamed as doing an ill thing. For by this means there are many preachers of truth, which is very useful, and not many masters, whilst they all speak things of the one true Master, and there are no schisms among them. Neither ought such men to be deterred by the words of the prophet Jeremiah, (chap. xxiii. 30,) by whom God rebukes those who steal his words every one from his neighbour. For they which steal, take away that which they have no right or property in: which cannot be said of those who obey the word of God, but rather belongs to those who speak well and live ill. From whence he concludes, it is very lawful for a man to preach the composition of other more eloquent men, provided he compose his own life answerable to God's word, and earnestly pray to God, that he would make his word in his mouth edifying to others.

Sect. 23. Their sermons always concluded with a doxology to the holy Trinity.

I must note also, that they always concluded their sermons, as we now do, with a doxology to the holy Trinity, as may be seen not only in the sermons of St. Austin, Chrysostom, Basil, Leo, Fulgentius, and others, who lived after Arius broached his heresy against the Divinity of our Saviour; but also in those of Origen, and others who lived before, such as Dionysius of Alexandria, and the rest that are mentioned by St. Basil, who had seen their homilies, out of which he wrote a vindication[211] of that ancient form against some, who pretended to charge him with innovation for using a form, which, he says, the ancients had always used before him.

Sect. 24. Sermons delivered by the preacher sitting, for the most part.

There are some other incidental things taken notice of by Ferrarius, which are either very minute in themselves, or are more proper to be spoken of in other places; such as the deacon's causing silence to be made before sermons; and the preacher's reading his text over again after the readers; and his appointing lessons to be read agreeable to his subject; and giving notice of them the week before to the people; as also the reading of the Acts of the Martyrs before sermon upon their proper festivals; the giving notice of Easter and Lent on the day of Epiphany in their sermons; the notification of vigils, and fasts, and festivals, and appointing collections for the poor; preaching covertly of the mysteries of religion before the catechumens; complimenting the bishops that were present, in their sermons; the distinction of places for the hearers; the usual appellations of love and respect that were given them; the usual place of the sermon, some eminency in the church, the *ambo* or reading-desk, or else the bishop's throne, or the steps of the altar; the usual days of preaching, the Lord's day, the Saturday or sabbath, the vigils and festivals, the anniversaries of bishops' consecrations, and dedication of churches; with some other things of the like nature, some of which are so minute, that they are scarce worth the reader's notice; and others, that are more material, are accounted for and explained in other parts of this work. I shall, therefore, speak of one thing more relating to the preachers; which is, of the posture in which their sermons were delivered. The general received custom now is, for the preacher to stand, and the people to sit; but the ancient custom was usually the reverse of this; for the preacher commonly delivered his sermon sitting, and the people heard it standing; though there was no certain rule about this, but the custom varied in several churches. In Africa the preacher commonly sat, as appears from that of Optatus[212] to the Donatist bishops: When God reproves a sinner, and rebukes him that sits, the admonition is specially directed unto you; for the people have not liberty to sit in the church. He says this upon occasion of those words of the psalmist, "Thou sattest and spakest against thine own mother's son." St. Austin, in like manner, speaks of his own preaching sitting: Why do I sit here? Why do I live, but with this intention,[213] that I may live with Christ? And again,[214] That I may not detain you, especially considering that I speak sitting, and ye labour standing. And he intimates, that in some churches[215] sitting was allowed both to the preacher and the people. St. Chrysostom also[216] speaks of

[210] Aug. de Doctrin. Christ. lib. 4. cap. 29. Sunt sane quidam, qui bene pronunciare possunt, quid autem pronuncient excogitare non possunt. Quod si ab aliis sumunt eloquenter sapienterque conscriptum, memoriæque commendent, atque ad populum proferant, si eam personam gerunt, non improbe faciunt, &c.

[211] Basil. de Spir. Sancto, cap. 29.

[212] Optat. lib. 4. p. 78. Dum peccatorem arguit, et sedentem increpat Deus, specialiter ad vos dictum esse constat, non ad populum, qui in ecclesia sedendi non habent licentiam.

[213] Aug. Hom. 28. ex 50. t. 10. p. 179. Quare loquor? Quare hic sedeo? Quare vivo, nisi hac intentione, ut cum Christo simul vivamus?

[214] Hom. 49. de Diversis. Ut ergo vos non diu teneam, præsertim quia ego sedens loquor, vos stando laboratis.

[215] Aug. de Catechizandis Rudibus, cap. 13. t. 4. p. 300. Longe consultius in quibusdam ecclesiis transmarinis non solum antistites sedentes loquuntur, sed ipsi etiam populo sedilia subjacent.

[216] Chrys. Hom. 1. de Pœnit. t. 1. p. 662.

his own sitting when he preached. And this he did usually in the *ambo*, or reading-desk, where he sat when he preached that famous sermon upon Eutropius, when he fled to take sanctuary in the church,[217] and lay trembling before the altar, as all the historians inform us. Gregory Nyssen speaks also of himself as sitting when he preached, and rising up to prayer[218] in the conclusion. Which is also noted by Justin Martyr,[219] and Origen,[220] and Athanasius,[221] and Chrysostom,[222] whom Ferrarius cites, and remarks upon them, That their rising up in the close of the sermon to prayer, implies that they preached sitting before; which is certainly a very just observation. Yet, after all, he pretends to assert, That standing to preach was the more common posture, and that they never used sitting but only in case of infirmity or old age: which shows us only how far prejudice will carry a man, against the clearest evidence, in favour of a modern custom. The observation made by the author of the Comments upon St. Paul's Epistles[223] under the name of St. Ambrose, has much more truth and solidity in it, That the Christian bishops used to preach sitting, and that this custom was taken from the tradition of the synagogue: where Ferrarius himself owns, and proves it to have been the more usual custom for the scribes and doctors of the law to expound the Scriptures sitting, though there may be some instances to the contrary. Matt. xxiii. 2, it is said, that "the scribes and Pharisees sat in Moses's chair." Luke ii. 46, our Saviour was found sitting and disputing among the doctors in the temple. Again, chap. iv. 20, after he had stood up to read the prophet Esaias, he sat down to teach the people. And chap. v. 3, he sat down and taught the people out of the ship. John viii. 2, he sat down and taught the people in the temple. Matt. v. 1, he sat and taught his disciples in the mountain. And Matt. xxvi. 55, "I sat daily with you teaching in the temple." This was according to the custom of the Jewish synagogue, which was generally followed by the Christian church. And the instances which Ferrarius brings out of St. Chrysostom's[224] and St. Austin's homilies[225] to the contrary, are rather exceptions to a general rule, than proper evidences for his own assertion. The matter is not indeed great in itself, it being a very indifferent thing, whether a preacher delivers his sermon standing or sitting: but when men are representing ancient practices, they ought not to make every thing conform to the customs and model of the present age, but represent things nakedly as they find them.

Sect. 25. And heard by the auditors standing in some churches, but not in all.

We have hitherto considered what relates to the preachers, and a few things must be added concerning the hearers. Of whom it has been already observed in the last paragraph, out of Optatus and St. Austin, that in the African churches the people had no licence to sit down, but were generally obliged to stand to hear the sermon. Ferrarius[226] has collected a multitude of testimonies more out of St. Austin to the same purpose, which it is needless to relate here. But we may observe, that the same custom prevailed also in many other churches. Sidonius Apollinaris speaks of it as the usage of the Gallican church, in those lines to Faustus, bishop of Riez, where he speaks of his preaching from the steps of the altar, the people standing about him:[227] *Seu te conspicuis gradibus venerabilis aræ concionaturum plebs sedula circumsistit.* Which is further confirmed by a homily, that used to go under the name of St. Austin,[228] but is now more certainly determined by Mabillon and the Benedictines, in their new edition of St. Austin's Works, to belong to Cæsarius, bishop of Arles, where he grants an indulgence to such as were diseased or infirm in their feet, that they should have liberty to sit, when the passions of the martyrs, or long lessons, were read, or the sermon was preached: but to all others, women as well as men, this privilege is utterly denied. Which implies, that standing was then the usual posture of the hearers in the French churches. And that it was usual also in some of the Greek churches, may be inferred from that famous story which Eusebius reports of Constantine, that when he made a discourse before him in his own palace, he stood all the time[229] with the rest of the hearers: and when Eusebius

[217] Socrat. lib. 6. cap. 5. Sozom. lib. 8. cap. 5. Cassiodor. Hist. Tripartita, lib. 10. cap. 4. Residens super ambonem, &c.

[218] Nyssen. Hom. 5. de Orat. Dominica, t. 1. p. 761.

[219] Justin. Apol. 2. p. 97.

[220] Orig. Hom. 20. in Num. Hom. 3. in Esai. Hom. 36. in Luc. Hom. 19. in Jerem.

[221] Athan. Hom. de Semente.

[222] Chrys. Hom. cont. Hæreticos, ap. Ferrarium, lib. 2. cap. 9.

[223] Ambros. Com. in 1 Cor. xiv. 29. Hæc traditio synagogæ est, quam nos vult sectari—ut sedentes disputent seniores dignitate in cathedris, &c.

[224] Chrys. Hom. 16. ad Pop. Antioch. et Hom. 33. in Matt.

[225] Aug. Ser. 122. de Diversis. Tract. 19. in Joan. et Ser. 2. in Psalm. xxxii. ap. Ferrar. lib. 2. cap. 9.

[226] Ferrar. lib. 2. cap. 15. ex Aug. Tract. 19 et 112. in Joan. Hom. 28. ex 50. Ser. 49 et 122. de Diversis. Ser. 2. in Psal. xxxii. et cxlvii. Ser. 20. de Verb. Domini, &c.

[227] Sidon. Carmen 16. ad Faustum Reiensem.

[228] Aug. Ser. 26. ex 50. qui est 300 novæ editionis. Propter eos qui aut pedibus dolent, aut aliqua corporis inæqualitate laborant, paterna pietate solicitus consilium dedi, et quodam modo supplicavi, ut quando aut passiones prolixæ, aut certe aliquæ lectiones longiores leguntur, qui stare non possunt, humiliter et cum silentio sedentes, attentis auribus audiant quæ leguntur, &c. Ut quando aut lectiones leguntur, aut verbum Dei prædicatur, nulla (fœmina) se in terram projiciat, nisi forte quam nimium gravis infirmitas cogit.

[229] Euseb. de Vit. Constant. lib. 4. cap. 33.

requested him to sit down in the throne that was prepared for him, he refused, saying, It was fit that men should stand to hear discourses of Divine things. But in the churches of Italy the contrary custom prevailed: for St. Austin says, in the transmarine churches (by which he certainly means those of Italy) it was prudently ordered, that not only the bishops sat when they preached to the people, but that the people also had seats to sit upon, lest any weak person through weariness grow remiss in his attention,[230] or be forced to leave the assembly. And he thinks it more advisable, that the same indulgence should be granted, where it could prudently be done, in African churches. That it was so in Rome in the time of Justin Martyr, seems pretty plain from his Second Apology, where he says,[231] That as soon as the bishop's sermon was ended, they all rose up to prayer together. And the same thing being noted by Origen[232] and Athanasius,[233] makes it probable, that the same custom prevailed in many of the Eastern churches. Cyril of Jerusalem says expressly,[234] that the people heard his discourses sitting. Consider, says he, how many sit here now, how many souls are present; and yet the Spirit works conveniently in them all. He is in the midst of us, and sees our behaviour, and discerns our hearts and consciences, and what we speak, and what we think. And the author of the Constitutions,[235] who chiefly relates the customs of the Eastern churches, represents the people as sitting also to hear the sermon. And so Cassian[236] and St. Jerom[237] say it was in all the monasteries of Egypt, where they sat not only at sermon, but at the reading of the Psalms and other lessons out of Scripture. So that this must be reckoned among those indifferent rites and customs, about which there was no general rule of the universal church; but every one followed the custom of the place where he lived, and every church appointed what she judged most proper for the edification of the people.

Sect. 28. A peculiar custom of the African church to quicken the attention of the hearers.

It was a peculiar custom in the African church, when the preacher chanced to cite some remarkable text of Scripture in the middle of his sermon, for the people to join with him in repeating the close of it. St. Austin takes notice of this in one of his sermons,[238] where having begun those words of St. Paul, "The end of the commandment is"—before he would proceed any further, he called to the people to repeat the remainder of the verse with him; upon which they all cried out immediately, "Charity out of a pure heart." By which, he says, they showed that they had not been unprofitable hearers. And this, no doubt, was done to encourage the people to hear, and read, and remember the Scriptures, that they might be able upon occasion to repeat such useful portions of them, having then liberty not only to hear, but to read and repeat them in their mother-tongue. Whether this was a custom in any other place, I cannot say; having met with it only in St. Austin: for which reason I have spoken of it only as a particular custom of the African church, designed to quicken the attention of the hearers, and show that they read and remembered the Holy Scriptures.

Sect. 27. How the people were used to give public applauses and acclamations to the preacher in the church.

It was a much more general custom for the people to testify their esteem for the preacher, and express their admiration of his eloquence, or approbation of his doctrine, by public applauses and acclamations in the church. This was done sometimes in express words, and sometimes by other signs and indications of their consent and approbation. The Greeks commonly call it κρότος, which denotes both kinds of approbation, as well by clapping of hands, as by vocal and verbal acclamations. The first use of it, as Suicerus[239] observes out of Casaubon,[240] was only in the theatres. From thence it came into the senate; and in process of time, into the acts of the councils, and the ordinary assemblies of the church. We are not concerned at present to inquire after synodical acclamations, but only such as were used toward the preachers in the church. This was sometimes done in words of commendation, as we find in one of the homilies of Paulus Emisenus,[241] spoken in the presence of Cyril at Alexandria, where, when Paul had used this expression, agreeing with Cyril's doctrine that had been preached before, Mary, the mother of God, brought forth Emanuel; the people immediately cried out, O orthodox Cyril, the gift of God, the faith is the same, this is what we desired to hear, if any man speak otherwise, let him be anathema. Sometimes they added other indications of their applause, as clapping of their hands, &c.

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230 Aug. de Catechiz. Rudibus, cap. 13. Sine dubitatione melius fiat, ubi decenter fieri potest, ut a principio sedens audiat. Longeque consultius in quibusdam ecclesiis transmarinis non solum antistites sedentes loquuntur, sed ipsi etiam populo sedilia subjacent, &c.

231 Justin. Apol. 2. p. 98.

232 Orig. Hom. 3. in Esai. Hom. 19. in Jerem.

233 Athan. Hom. de Semente.

234 Cyril. Catech. 16. n. 11. Λόγισαι πόσοι καθέζεσθε νῦν, κ.τ.λ.

235 Constit. lib. 2. cap. 58.

236 Cassian. Instit. lib. 2. cap 12.

237 Hieron. Ep. 22. ad Eustoch. cap. 15. Completis orationibus, cunctisque residentibus, medius, quem Patrem vocant, incipit disputare, &c.

238 Aug. 36. ex editis a Sirmondo, t. 10. p. 837. Finis præcepti est, (Jam vos dicite mecum: A populo acclamatum est) Caritas de corde puro. Omnes dixistis, quod non infructuose semper audistis. Vid. Ser. 13. de Verbis Dom. Ser. 2. de Verb. Apost.

239 Suicer. Thesaur. Eccles. voce Κρότος, vol. 2. p. 173.

240 Casaub. Notis in Vulcatium Gallican. Vit. Avidii Cassii, p. 89.

241 Paul. Emisen. Hom. de Incarnat. Conc. t. 3. p. 1096. in Actis Concilii Ephes. par. 3. cap. 31.

Thus St. Jerom tells Vigilantius, The time was[242] when he himself had applauded him with his hands and feet, leaping by his side, and crying out, Orthodox, for his sermon upon the resurrection. And so George of Alexandria tells us,[243] The people applauded the sermons of St. Chrysostom, some by tossing their thin garments, others moving their plumes, others laying their hands upon their swords, and others waving their handkerchiefs, and crying out, Thou art worthy of the priesthood, thou art the thirteenth apostle, Christ hath sent thee to save our souls, &c. In like manner, Gregory represents in his Dream,[244] how the people were used to applaud him when he preached, some by their praises, and others by their silent admiration; some in their words, and some in their minds, and others moving their bodies as the waves of the sea raised by the wind. St. Jerom refers to this, when he tells us,[245] how Gregory Nazianzen, his master, once answered a difficult question, which he put to him concerning the *sabbatum*, *δευτερόπρωτον*, the second Sunday after the first, mentioned Luke vi. I will inform you, says he, of this matter in the church, where, when all the people are applauding me, you shall be forced to confess, you understand what you do not; or if you alone be silent, you shall be condemned of folly by all the rest. The same custom is often hinted by Sidonius Apollinaris,[246] and Isidore of Pelusium,[247] and in abundance of places of St. Austin[248] and St. Chrysostom, cited at length by Ferrarius,[249] which, after what has been said, I think it needless to recite in this place. The curious reader may either consult Ferrarius, or the passages referred to in their authors. To which he may add many other passages of Chrysostom,[250] and Socrates,[251] and Prosper,[252] not mentioned by that diligent writer, though he spends four whole chapters upon this subject.

Sect. 28. But, more Christian like, express their approbation by tears and groans, and compunction and obedience.

I think it more material to observe out of the chief of those passages, that though the ancients did not utterly refuse or disallow those sorts of applauses, but received them with humility and thankfulness to God, as good indications of a towardly disposition in their hearers; yet, forasmuch as they were often but fallacious signs, they neither much commended those that gave them, nor those preachers that barely by their eloquence obtained them; much less those that, out of a worldly spirit, and a popular and vain ambition, laboured at nothing else but to court and affect them: but what they chiefly desired to effect by their grand eloquence, was to warm their hearts, and melt them into tears; to work them into groans, and sorrow, and compunction for sin; to bring them to resolutions of obedience, and compliance with the holy rules they preached to them; to work in them a contempt of earthly things, and raise their souls, by all the arts of moving the affections, to a longing desire and aspiration after the things of another world. This was their grand aim in all their elaborate, and all their free and fluent discourses, and this they valued far above all the popular applauses that could be given them. This they reckoned their grand eloquence, and rejoiced in nothing more, than when they could triumph in the conviction and conversion of their hearers. To this purpose, St. Jerom,[253] in his directions to Nepotian, lays it down as a rule, That, in preaching, he should labour to excite the groans of the people, rather than their applauses; and let the tears of the hearers be the commendation of the preacher. And so he observes[254] it was in fact among the fathers of Egypt; when they discoursed of the kingdom of Christ and the glories of the world to come, then one might behold every one, with a gentle sigh, and eyes lift up to heaven, say within himself, "Oh that I had wings like a dove, for then I would flee away, and be at rest!" In like manner, Prosper[255] bids the preacher, not place his confidence in the splendour of his words, but in the power of their operation;

[242] Hieron. Ep. 75. cont. Vigilant. Recordare quæso illius diei, quando, me de resurrectione et veritate corporis prædicante, ex latere subsultabas, et plaudebas manu, et applodebas pede, et orthodoxum conclamabas.

[243] Georg. Alex. Vit. Chrys. ap. Ferrar. de Ritu Concionum, lib. 2. cap. 20.

[244] Naz. Somnium de Templo Anastasiæ, t. 2. p. 78.

[245] Hieron. Ep. 2. ad Nepot. Præceptor quondam meus Gregorius Nazianzenus rogatus a me, ut exponeret, quid sibi vellet in Luca sabbatum *δευτερόπρωτον*, eleganter lusit, Docebo te, inquiens, super hac re in ecclesia; in qua, mihi omni populo acclamante, cogeris invitus scire quod nescis; aut certe, si solus tacueris, solus ab omnibus stultitiæ condemnaberis.

[246] Sidon. lib. 9. Ep. 3. [247] Isid. lib. 3. Ep. 343 et 382.

[248] Aug. Serm. 5. de Verb. Domini. Serm. 19 et 28. de Verb. Apostoli. Serm. 25. ex Quinquaginta. Serm. 45. de Tempore. Tract. 57. in Joan. Serm. 27. de Diversis. Serm. in Psal. cxlvii. De Catechiz. Rudibus, cap. 13. De Doctr. Christ. lib. 4. cap. 26.

[249] Chrys. Hom. 1, 4, et 54. in Genes. Hom. 2, 5, 6. ad Pop. Ant. Hom. 2. in Lazar. Hom. 2. in Joan. Hom. 3 et 5. De Incomprehensib. Hom. 30. in Act. ap. Ferrar. lib. 2. cap. 18.

[250] Chrys. Hom. 1. De Verbis Esai. t. 3. p. 910. Hom. 6. in Gen. p. 918. Hom. 27. in Gen. p. 358. Hom. 1. cont. Judæos, t. 1. p. 433. Hom. 16. in illud, Si esurierit inimicus, t. 5. p. 220. Hom. 56. Quod non sit desperandum, t. 5. p. 742.

[251] Socrat. lib. 7. cap. 13.

[252] Prosper. de Vita Contemplativa, lib. 1. cap. 23.

[253] Hieron. Ep. 2. ad Nepotian. Docente te in ecclesia, non clamor populi, sed gemitus suscitetur; lachrymæ auditorum laudes tuæ sint.

[254] Ep. 22. ad Eustoch. cap. 15.

[255] Prosper. de Vita Contemplativa, lib. 1. cap. 23. Non in verborum splendore, sed in operum virtute totam prædicandi fiduciam ponat; non vocibus delectetur populi acclamantis sibi, sed fletibus: nec plausum a populo studeat expectare, sed gemitum.

nor be delighted with the acclamations of the people, but their tears; nor study to obtain their applauses, but their groans. St. Austin did not refuse these acclamations of the people, yet he always takes care to remind them rather to repay him with the fruit of their lives and actions. You praise the preacher[256] of the word, says he, but I desire the doer of it. Those praises[257] are but the leaves of the tree, I desire the fruit of it. I would not be praised by ill livers,[258] I abhor it, I detest it; it is a grief to me, and not a pleasure. But if I say, I would not be praised by good livers, I should tell a lie; if I should say, I desire it, I am afraid of seeming desirous more of vanity than solidity. Therefore what shall I say? I neither perfectly desire it, nor perfectly refuse it. I do not desire it absolutely, for fear I should be insnared by human praise; I do not utterly refuse it, for fear I should be ungrateful to those to whom I preach. In his book of Christian Doctrine,[259] where he speaks of that sort of ecclesiastical rhetoric, which is called grand eloquence, he says, A man should not think he had attained to it because he frequently received the loud acclamations of the people; for those were often gained by the acumen and ornaments of the submiss and moderate style; and the grand eloquence did often suppress those acclamations by its weight, and extort tears in their room. He gives there a remarkable instance of his own preaching once an occasional sermon with such effect to the people of Cæsarea in Mauritania. It seems, in that place a very barbarous and unnatural custom had for a long time prevailed, that at a certain season of the year, for some whole days together, the whole city, dividing themselves into two parties, were used to maintain a bloody fight by throwing stones at one another, and this without any regard to kindred or relation; for sometimes a man slew his brother, or a father his son, or a son his father. Now, says St. Austin, I set myself with all the force of grand eloquence to root out and expel this cruel and inveterate evil out of their hearts and practice; yet I did not take myself to have made any impression to purpose upon them, whilst I heard their acclamations, but when I saw their tears. For they showed indeed by their acclamations that they were instructed and pleased; but by their tears, that they were sensibly affected, and really converted. Which when I perceived, I then began to think I had got the victory over that barbarous custom, which had so long, by tradition from their ancestors, possessed their souls; before I saw any more visible proof in their actions. Whereupon, as soon as sermon was ended, I turned both their mouths and hearts to give God thanks for it. And so, by the help of Christ, there are now almost eight years passed since any thing of this kind was ever attempted among them. He adds, That he had made many other experiments of the like nature, by which he had learned, that men ordinarily showed what impressions the force of wise and powerful rhetoric made upon them, not so much by their acclamations as by their groans, and sometimes by their tears, and finally by their real change of life and sincere conversion. So that, in the judgment of this pious father, the best praise of a sermon, and its rhetoric, is the compunction of its hearers, and melting them into tears, and subduing their minds by bending them to obedience, which far exceeds the honour of the greatest acclamations and applauses. After the same manner the great orator of the East, St. Chrysostom, often tells his hearers, he rejoiced not in their applauses, but in the effects which his discourses had on their minds, in making them become new men. He says, in one place,[260] they had made him happy in receiving his discourses about prayer with a ready mind; for happy is the man that speaks to an obedient ear. And he judged of their obedience, not so much from their acclamations and praises, as from what he had observed in their actions. For when he had used this argument, why they should not pray against their enemies, because it was a provocation of God, and setting up a new law in opposition to his law; (for God says, "Pray for your enemies;" but they that pray against them do in effect pray God to disannul his own law;) he says, upon his mentioning this and the like arguments, he had observed many of them to smite upon their face and breast, and mourn bitterly, and lift up their hands to heaven, and ask God pardon for such unlawful prayers. Which made him at the same time lift up his own eyes to heaven, and give God thanks, that the word of his doctrine had so quickly produced fruit in them. In another place,[261] says he, What do your praises advantage me, when I see not your progress in virtue? Or what harm shall I receive from the silence of my auditors, when I behold the increase of their piety? The praise of the speaker is not the κρότος, the acclamations of his hearers, but their zeal for piety and religion; not their making a great stir in time of hearing, but showing diligence at all other times. Applause, as soon as it is out

[256] Aug. Serm. 19. de Verbis Apostoli. Tu laudas tractantem: ego quæro facientem.

[257] Serm. 5. de Verbis Domini. Laudes istæ folia sunt arborum, fructus quæritur.

[258] Hom. 25. ex 50. Laudari a male viventibus nolo, abhorreo, detestor, dolori mihi est, non voluptati, &c.

[259] De Doctrina Christ. lib. 4. cap. 24. Non sane, si dicenti crebrius et vehementius acclametur, ideo granditer putandus est dicere: grande autem genus plerumque pondere suo voces premit, sed lachrymas exprimit.

[260] Chrys. 56. Quod non sit desperandum, t. 5. p. 742.

[261] Hom. 16. ibid. p. 220.

of the mouth, is dispersed into the air, and vanishes; but when the hearers grow better, this brings an incorruptible and immortal reward both to the speaker and the hearers. The praise of your acclamations may render the orator more illustrious here, but the piety of your souls will give him great confidence before the tribunal of Christ. Therefore if any one love the preacher, (or if any preacher love his people,) let him not be enamoured with applause, but with the benefit of the hearers. It were easy to transcribe many other such passages out of Chrysostom, where he shows a great contempt of such popular applauses in comparison of their obedience. I will only relate one passage more, where he gives a severe rebuke to all preachers, who made this the only aim of their discourses. Many, says he,[262] appear in public, and labour hard, and make long sermons to gain the applause of the people, in which they rejoice as much as if they had gained a kingdom; but if their sermon ends in silence, they are more tormented about that silence, than about the pains of hell. This is the ruin of the church, that ye seek to hear such sermons as are apt not to move compunction, but pleasure, hearing them as you would hear a musician or a singer, with a tinkling sound, and composition of words. And we act miserably and coldly, whilst we indulge our own affections, which we ought to discard. We curiously seek after flowers of rhetoric, and composition, and harmony, that we may sing to men, and not profit them; that we may be had in admiration by them, and not teach them; that we may raise delight, and not godly sorrow; that we may go off with applause and praise, and no ways edify them in their morals. Believe me, for I would not otherwise say it, when I raise applause in preaching, I am then subject to human infirmity, (for why should not a man confess the truth?) I am then ravished and highly pleased. But when I go home, and consider that my applauders are gone away without fruit, though they might have done otherwise, I weep, and wail, and lament that they perish in their acclamations and praises, and that I have preached all in vain: and I reason thus with myself, What profit is there in all my labours, if my hearers reap no fruit from my words? I have often thought of making it a law to forbid such acclamations, and to persuade you to hear in silence. By this it appears, that St. Chrysostom could rather have wished to have had this custom wholly banished out of the church, because it was so frequently abused by vain and ambitious spirits, who regarded nothing else but to gain the applause of their hearers: to which purpose, they sometimes suborned men to applaud them in the church, as is complained of Paulus Samosatensis by the council of Antioch:[263] and sometimes affected to preach in such a manner upon abstruse subjects, as neither the people nor themselves understood, only to be admired by the ignorant multitude, who, as St. Jerom complains[264] in this very case, are commonly most prone to admire what they do not understand. For which reason, it was the care of all pious preachers, to show a tender regard to the understandings of men; and, whether it gained applause or not, to speak usefully, and, as far as might be, to the capacities and apprehensions of their hearers; and by all the powers of divine eloquence, and proper arts of edification and persuasion, incline them to obedience and a heavenly temper. Without which, they imagined the success and event of their preaching, however eloquent and pleasing to the ear, was no better received than that of the prophet, complained of Ezek. xxxiii. 32, "Thou art unto them as a very lovely song of one that hath a very pleasant voice, and can play well on an instrument: for they hear thy words, but they will not do them."

Sect. 29. Sermons anciently penned by the hearers.

There is one thing more must be taken notice of with relation to the hearers, because it expressed a great deal of zeal and diligence in their attention: which is, that many of them learned the art of notaries, (the Greeks call them *ὀξυγράφοι*, and *ταχυγράφοι*, ready writers,) that they might be able to take down in writing the sermons of famous preachers, word for word, as they delivered them. By this means, some of their extempore discourses were handed down to posterity, which otherwise must have died with the speaking; as has been observed before[265] out of Eusebius, concerning some of Origen's, which he preached in his latter years. St. Austin makes the same observation[266] concerning his own sermons upon the Psalms, That it pleased the brethren not only to receive them with their ears and heart, but with their pens likewise; so that he was to have regard not only to his auditors, but his readers also.[267] Socrates says the same of Chrysostom's sermons, that some of them were published by himself, and others by notaries, who took them from his mouth as he spake them. But they did not thus honour all preachers, but only those that were most celebrated and renowned. For Sozomen[268] observes of the sermons of Atticus, That they were so mean after he gave himself to preach extempore, when he was bishop of Constantinople, that the notaries did not think fit to write them. These notaries were some of them allowed by the preacher himself, and

[262] Chrys. Hom. 30. in Act.
[263] Ap. Euseb. lib. 7. cap. 30.
[264] Hieron. Ep. 2. ad Nepotian.
[265] Euseb. lib. 6. cap. 36. et Pamphil. Apol. pro Orig. cited before, sect. 11.
[266] Aug. in Psal. li. p. 201. Placuit fratribus, non tantum aure et corde, sed et stylo excipienda quæ dicimus: ut non auditorem tantum, sed et lectorem cogitare debeamus.
[267] Socrat. lib. 6. cap. 4.
[268] Sozom. lib. 8. cap. 27.

were therefore a sort of public notaries appointed for this purpose; but others did it privately, according to their inclination and discretion. This difference is hinted by Eusebius, when he says, Origen allowed no notaries to take his sermons, till he was sixty years old; and by Gregory Nazianzen, in his farewell sermon, where he thus takes his leave of his church, Farewell, ye lovers of my sermons, and ye pens,[269] both public and private. In which he plainly alludes to the two sorts of notaries that wrote his sermons in the church. The public notaries were generally allowed by the author's consent to publish what they wrote: in which case, it was usual for the preacher to review his own dictates, and correct such mistakes, and supply such deficiencies, as might be occasioned by the haste of the scribe, or some things not so accurately spoken by themselves in sudden and extempore discourses. This is evident from what Gregory the Great[270] says in his preface to his homilies upon Ezekiel, That those homilies were first taken from his mouth, as he spake them to the people, and after eight years he collected them from the papers of the notaries, and reviewed, and corrected, and amended them. So again, in his preface upon Job, he says, Some of his homilies were composed by himself, and others taken by the notaries; and those which were taken by the notaries, when he had time, he reviewed, adding some things,[271] and rejecting others, and leaving many things as he found them, and with such emendations he composed them into books, and published them. But many times the notaries published what they had written, without the author's knowledge or consent. In which case, we sometimes find them remonstrating against this as a clandestine practice.[272] Thus Gaudentius says, He did not own those homilies, which were first taken by the notaries latently and by stealth, and then published by others imperfectly, and only by halves, with great chasms and interruptions in them. He would not acknowledge them for his discourses, which the notaries had written in extreme haste, and published, without giving him any opportunity to supervise and correct them. And, probably, there may be reason for the same complaint in other writers. However, it shows a great diligence and attention in the hearers of those days, and a great respect and honour paid to their teachers, that they would be at so much pains to treasure up and preserve their pious instruction.

Sect. 30. Two reflections made by the ancients upon some of their corrupt auditors. 1. The negligent and profane hearers.

These things may be justly spoken to their honour, and it is no reflection on them, or diminution of their good character, that there were some others in those times (as there will be in all times) who deserved a contrary character, either for their deficiency and want of zeal in this matter, or for their indiscreet and intemperate zeal, in placing all religion in a sermon, and speaking contemptuously of prayer, or other parts of Divine service without it. The two errors in the contrary extremes, the one in excess, the other in defect, the ancients had sometimes occasion to rebuke, and they did it with a becoming sharpness. Though St. Chrysostom was so much admired, that the people generally said, when he was sent into banishment, that it was better[273] the sun should withdraw its rays, than his mouth be shut up in silence; yet he was often forced with grief to complain of some for their abstaining from religious assemblies,[274] where they were scarce seen once a year; of others, that they spent their time there in nothing but idle discourse, or laughing and jesting, or transacting worldly business,[275] laying themselves open to the assaults of the wicked spirit, who found their house fit for his reception, empty, swept and garnished; of others, that they turned the church into a theatre,[276] and sought for nothing there, but to please their ears without any other advantage; and finally, of others, who extolled his discourses by great applause in words, but disgraced them by the disobedience of their lives and actions; of whom we have heard so much before. In one place he more particularly reproaches them that absented from church, with the example of the Jews, who could abstain from work, for ten, twenty, or thirty days together, without contradiction,[277] at the command of their priest, and neither open their doors, nor light a fire, nor carry in water for any necessary use, which yet they submitted to, though it was an intolerable corporal slavery; whereas Christians were only required to set apart one day in seven, and only two hours of the day for religious assemblies, to obtain the greatest spi-

[269] Naz. Orat. 32. p. 528. Χαίρετε γραφίδες φανεραὶ καὶ λανθάνουσαι.

[270] Greg. Præfat. in Ezek. Homilias, quæ in beatum Ezekielem prophetam, ut coram populo loquebar, exceptæ sunt, multis curis irruentibus in abolitione reliqueram. Sed post annos octo, petentibus fratribus, notariorum schedulas requirere studui, easque favente Domino transcurrens, in quantum ab angustiis tribulationum licuit, emendavi, &c.

[271] Id. Præf. in Job. Cumque mihi spatia largiora suppeterent, multa augens, pauca subtrahens, atque ita ut inventa sunt nonnulla derelinquens, ea, quæ me loquente excepta sub oculis fuerant, per libros emendando composui, &c.

[272] Gaudent. Præfat. ad Benevolum, Bibl. Patr. t. 2. p. 3. De illis vero tractatibus, quos notariis, ut comperi, latenter adpositis, proculdubio interruptos et semiplenos otiosa quorundam studia colligere præsumpserunt, nihil ad me attinet. Mea jam non sunt, quæ constat præcipiti excipientium festinatione esse conscripta.

[273] Chrys. Ep. 125. ad Cyriacum.

[274] Hom. 46. in Lucian. Martyr. t. 1. p. 597. Hom. 48. In Inscript. Altaris, t. 5. p. 648.

[275] Hom. 4. de Incomprehensibili, t. 1. p. 374

[276] Hom. 2. ad Pop. Antioch. t. 1. p. 31.

[277] Hom. 18. de Inscript. Altaris, t. 5. p. 648.

ritual advantages to the soul; and yet they neglected such opportunities, and chose any meetings rather than the church. St. Ambrose in like manner upbraids those, who spent their time in talking in the church, from the example of the heathen,[278] who reverenced their idols by their silence, whilst Christians even drowned the voice of the Divine oracles, and the declaration of them, by their confused noise and confabulations in the church. This, Cæsarius tells them,[279] was in effect to offer men poison or a sword. For such a one neither heard the word of God himself, nor suffered others to hear it: and such must expect not only to give account of their own, but other men's destruction at the day of judgment. Origen,[280] and some others, tell these men, their own practice, in another case, would rise up in judgment against them: for they themselves showed a great reverence to the body of Christ in the eucharist; and yet it was no less a piacular crime, to show contempt to the word of God, than to his body; and they would be held guilty for a disrespect in the one case as well as the other. Thus they showed men, what reverence was due to the preaching of the word of God, by setting before them the sin and danger of those abuses some were apt to run into, by an error in defect and want of a just reverence to it.

Sect. 31. And secondly, the intemperate zealots, who placed all religion in a sermon.

On the other hand, they were no less careful to guard men against superstition in the other extreme. For there was an error in excess, as well as in defect, of reverence for preaching. Some were so over-run with an indiscreet bigotry and intemperate zeal for preaching, as to reckon all other parts of Divine service useless and insignificant, if they were not accompanied with a sermon. These men had their arguments to plead in their own behalf, which are thus proposed and answered by St. Chrysostom:[281] Why should I go to church, said they, if I cannot hear a preacher? This one thing, says St. Chrysostom, has ruined and destroyed all religion. For what necessity is there of a preacher? That necessity arises only from our sloth and negligence. For why otherwise should there be any need of a homily? All things are clear and open in the Holy Scriptures; all things necessary are plainly revealed. But because ye are hearers that study only to delight your ears and fancy, therefore ye desire these things. Tell me, I pray, with what pomp of words did St. Paul preach? And yet he converted the world. What pomp did the illiterate Peter use? But, say they, we cannot understand the things that are written in Scripture. Why so? Are they spoken in Hebrew, or Latin, or any other strange tongue? Are they not spoken in Greek, to you that understand the Greek tongue? Yea, but they are spoken darkly. How darkly? What difficulties do the histories contain? You understand the plain places, that you may take pains and inquire about the rest. There are a thousand histories in the Bible: tell me one of them. But you cannot tell one of these: therefore all this is mere pretence and words. O but, say they, we have the same things read to us every day out of Scripture. And do you not hear the same things every day in the theatre? Have you not the same sight at the horse-race? Are not all things the same? Does not the same sun rise every morning? Do you not eat the same meat every day? I would ask you, seeing you say you hear the same things every day, what portion of the prophets, what apostle, what epistle was read? But you cannot tell: they are perfectly new and strange to you. When, therefore, you are disposed to be idle, you pretend the same things are read; but when you are asked concerning them, you are as men that never heard them. If they are the same, you should have known them: but you know nothing of them. This is a thing to be lamented, that the workman labours in vain. For this reason you ought to attend, because they are the same, because we bring nothing strange or new to your ears. What then, because ye say the Scriptures are always the same, but what we preach are not so, but always contain something new, do ye attend to them? In no wise. And if we ask you, Why do you not remember them? ye answer, How should we, seeing we hear them but once? If we say, Why do you not remember the Scriptures? ye answer, They are always the same. These are nothing but pretences for idleness, and mere indications of a sceptical temper. Thus that holy father rebukes that intemperate zeal, which set up preaching in opposition to reading of the Scriptures, under various pretences of their being obscure, or tedious repetitions of the same things, when in truth a fanatical affectation of novelty, and a fantastical scepticism, and a vicious desire of being freed from all the burden of attending upon religious assemblies, was really at the bottom of all their objections.

Sect. 32. How men were treated, who thought their sermons too long.

There is but one thing more to be observed upon this head; which is, that as there were some who complained, that their sermons were not frequent enough, or too short; so there were others that complained, they were too long, and were disposed to leave the assembly before sermon was end-

[278] Ambros. de Virgin. lib. 3. An quicquam est indignius, quam oracula divina circumstrepi, ne audiantur, ne credantur, ne revelentur? circumsonare sacramenta confusis vocibus, cum Gentiles idolis suis reverentiam tacendo deferant?

[279] Cæsar. Arelat. Hom. 34.

[280] Orig. Hom. 13. in Exod. t. 1. p. 102. Quomodo putatis minoris esse piaculi, verbum Dei neglexisse, quam corpus ejus? Vid. Aug. Hom. 26. ex 50.

[281] Chrys. Hom. 3. in 2 Thess. p. 1502.

ed. Some canons are pretty severe upon such auditors. The fourth council of Carthage orders them to be proceeded against[282] with excommunication. But others used a more gentle way, contenting themselves to admonish their auditors of their duty, and sometimes using ingenious stratagems and feigned apologues to detain them; and sometimes ordering the doors of the church to be kept shut, till all was ended: which is particularly remarked of Cæsarius Arelatensis, by the author of his Life.[283] St. Chrysostom considers the matter with some distinction. He makes some allowance for the weakness of such as were unable to hold out the whole time at a long sermon: and forasmuch as many were more desirous of long sermons than short ones, he thinks the matter was so to be ordered, as to accommodate both. Seeing there are some, says he, in so great a multitude, who cannot[284] bear a long discourse, my advice to such is, that when they have heard as much as they can contain, and as much as suffices them, they should depart, (for no one hinders them, or compels them to stay longer than their strength is able to bear,) that they may not impose a necessity on us of making an end before the proper time. For thou art satisfied, but thy brother is yet hungry: thou hast drunk thy fill of what is spoken, but thy brother is yet athirst. Therefore neither let him burden thy weakness, by compelling thee to receive more than thy strength will bear; neither be thou injurious to his desire of hearing, by hindering him from taking as much as he is able to receive. For so it is at a common table, some are filled sooner, some later, and neither do these accuse those, nor they condemn the other. But there is a commendation to depart quickly; but here to depart quickly is not commendable, but only pardonable. To stay long at a carnal feast, is a matter worthy of reproof, because it proceeds from an intemperate appetite; but to stay long at a spiritual feast, deserves the highest praise and commendation, because it proceeds from a spiritual desire and holy appetite, and argues patience and constancy in giving attention. Thus that holy father decides the controversy about long and short sermons, and prudently divides the matter between strong and weak hearers; commending the one, without condemning the other; and making some apology for the length of his sermons, without offence to either party. I shall make the same apology to my readers for the length of this chapter: if there be any whose curiosity leads them to know all that relates to the preaching of the ancients, they may read the whole, and perhaps will not think it too long; but they whose appetite is not so sharp, may shorten it as they please, and accommodate it to their own use, by selecting such parts as are most agreeable to their own taste, and proper for their own instruction. And so I end the discourse about preaching in the ancient church.

CHAPTER V.

OF THE PRAYERS FOR THE CATECHUMENS, ENERGUMENS, COMPETENTES OR CANDIDATES OF BAPTISM, AND THE PENITENTS.

Sect. 1. That prayers in the ancient church were not before, but after the sermon.

As soon as the sermon was ended, the public prayers of the church began, and not before. For anciently the order of Divine service was a little different in its method from what it is usually now in the church; for anciently the greatest part of the public prayers came after sermon. This is expressly said by Justin Martyr in his Apology, where he is giving an account of the Christian worship on the Lord's day. He says, They first read the Scriptures, then the president or bishop made a discourse or exhortation; after which they rose up all together and made their common[1] prayers: and then, when these were ended, the bishop prayed again, and gave thanks for the consecration of the bread and wine in the eucharist, the people answering, Amen. And so St. Chrysostom affirms also, saying in one place,[2] The exhortation comes first, and then immediately prayer. And in another[3] place, You need both advice and prayer: therefore we advise you first, meaning in the sermon, and then we make prayers for you. They that are initiated know what I say. So that when Chrysostom or any others say, prayer went before sermon, they are to be understood either of that short salutation, which the minister used at the entrance upon every office, "The Lord be with you," the people answering, "And with thy spirit;" or of some short prayer of the preacher; or of the private prayers of people intermingled with the psalmody; and not of the common prayers of the church. For many

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[282] Conc. Carth. 4. can. 24. Sacerdote verbum faciente in ecclesia, qui egressus de auditorio fuerit, excommunicetur.

[283] Cyprian. Vit. Cæsar. cap. 12. Sæpissime ostia, lectis evangeliis, occludi jussit; donec propitio Deo ipsi gratularentur, ea coercitione se profecisse, qui solebant esse fugitivi. Vid. Cæsar. Hom. 12.

[284] Chrys. 60. Dæmones non gubernare Mundum, t. 5. p. 784.

[1] Justin. Apol. 2. p. 98. Ὁ προεστὼς τὴν νουθεσίαν ποιεῖται· ἔπειτα ἀνιστάμεθα κοινῇ πάντες, καὶ εὐχὰς πέμπομεν, κ.τ.λ.

[2] Chrys. Hom. 28. quæ est 3. de Incomprehensibili, t. 1. p. 365. Μετὰ τὴν παραίνεσιν εὐθέως εὐχή.

[3] Id. Hom. 11. in 1 Thess. p. 1480. Πρότερον συμβουλεύοντες, τότε τὰς ὑπὲρ ὑμῶν εὐχὰς ποιούμεθα, καὶ τοῦτο ἴσασιν οἱ μεμυημένοι

orders of men might be present at the sermon, and to hear the Scriptures read, who might not join in prayers with the faithful; and for that reason the sermon and reading of the Scriptures went before, that such persons might have the benefit of them, who were to be dismissed when the prayers begun, because they had as yet no title to communicate in them.

Sect. 2. Who might, or might not, be present at these prayers. Infidels and mere hearers obliged to withdraw.

These prayers were of two sorts: prayers peculiar to the faithful or communicants only, at which neither catechumens, nor penitents, nor energumens, nor any persons yet unbaptized might be present; and prayers made particularly for these several orders, at which therefore they were allowed to be present, and both hear the prayers, and pray for themselves. But even from these prayers some were obliged to withdraw, who were allowed to be present at sermons for their instruction. Such were all Jews and infidels, and such of the catechumens and penitents as were known by the distinct name of ἀκροώμενοι among the Greeks, and *audientes* among the Latins, that is, hearers only. Therefore, as soon as sermon was ended, before any of these prayers began in the service of the catechumens, a deacon was used to make proclamation from some eminency in the church, *Ne quis audientium, ne quis infidelium*, Let none of the hearers, let none of the unbelievers be present, as it is worded in the Constitutions.[4]

Sect. 3. Of the prayers for the catechumens. The genuine forms of them out of St. Chrysostom and the Constitutions.

This said, and silence being made, the deacon cried again, "Pray, ye catechumens:" and, "Let all the faithful with attention pray for them, saying, Lord have mercy upon them." Then the deacon began a prayer for them, which in the Constitutions is called προσφώνησις ὑπὲρ τῶν κατηχουμένων, a bidding prayer for the catechumens, because it was both an exhortation and direction how they were to pray for them. We have two ancient forms of this prayer still remaining, one in St. Chrysostom, and another in the Constitutions. That in the Constitutions is in these words:[5] "Let us all beseech God for the catechumens; that he, who is gracious, and a lover of mankind, would mercifully hearken to their supplications and prayers, and, accepting their petitions, would help them, and grant them the requests of their souls according to what is expedient for them; that he would reveal the gospel of Christ to them; that he would enlighten and instruct them, and teach them the knowledge of God and Divine things; that he would instruct them in his precepts and judgments; that he would open the ears of their hearts to be occupied in his law day and night; that he would confirm them in religion; that he would unite them to, and number them with his holy flock, vouchsafing them the laver of regeneration, with the garment of incorruption, and true life; that he would deliver them from all impiety, and give no place to the adversary to get advantage against them; but that he would cleanse them from all pollution of flesh and spirit, and dwell in them, and walk in them by his Christ; that he would bless their going out, and their coming in, and direct all their designs and purposes to their advantage. Further yet, let us earnestly pray for them, that they may have remission of sins by the initiation of baptism, and be thought worthy of the holy mysteries, and remain among his saints."

Then the deacon, addressing himself to the catechumens themselves, said, "Catechumens, arise. Pray for the peace of God, that this day, and all the time of your life, may pass in quietness, and without sin; that you may make a Christian end, and find God propitious and merciful, and obtain remission of your sins. Commend yourselves to the only unbegotten God by his Christ."

To every petition of this bidding prayer, the people, and especially children, are appointed to subjoin, Κύριε ἐλέησον, "Lord have mercy upon them."

After this the deacon bids them bow down, and receive the bishop's benediction; which is in the following form of direct invocation.

"O Almighty God, who art without original and inaccessible, the only true God, thou God and Father of Christ thy only begotten Son, God of the Comforter,[6] and Lord of all things; who by Christ didst make learners become teachers for the propa-

[4] Constit. Apost. lib. 8. c. 5. [5] Ibid. c. 6.

[6] This phrase, ὁ Θεὸς τοῦ Παρακλήτου, and a like phrase, which occurs in the prayer of this author in the daily evening service, lib. 8. cap. 37, where the Father is styled, ὁ τοῦ Πνεύματος Κύριος, the Lord of the Spirit, are harsh expressions, and not very usual in catholic writers; which makes some suspect this author, as if he were tainted with the Macedonian heresy, which denies the Divinity of the Holy Ghost, and makes him a mere creature. But this seems not to have been the intent of our author, who no where denies the true Divinity of the Son or Holy Ghost, but only gives such titles of pre-eminence to the Father, as Justin Martyr did before him, in regard to the Father's being the fountain of the Deity, and the origin of existence in the Son and Holy Spirit, not as creatures, but as his eternal Son and eternal Holy Spirit, equal to him in all essential perfections, but only deriving those Divine perfections from him, as the author and fountain of their being, as God of God, and Light of Light, by eternal generation and procession. In this sense, Bishop Bull has observed, that Justin Martyr, in his Dialogue with Tryphon, p. 358, uses the very same expression, in speaking of the Son, as our author does of the Spirit: for he says, The Father is Κυρίου Κύριος, ὡς Πατὴρ καὶ Θεὸς, ἄιτιός τε αὐτῷ τοῦ εἶναι, καὶ δυνατῷ, καὶ Κυρίῳ, καὶ Θεῷ, the Lord of the Lord, as Father and God, and cause of his being, of and from whom he has even this, that he is omnipotent, and Lord and God. Where Bishop Bull rightly observes, That God the Father is said to be God and Lord of his Son, not as he is Lord of the creatures, but *quatenus est fons Divinitatis et causa Filio, ut sit*, as he is the fountain of the Deity, and cause of his Son's existence: which does not make the Son a creature,

gation of Christian knowledge; look down now upon these thy servants, who are learning the instructions of the gospel of thy Christ, and give them a new heart, and renew a right spirit within them, that they may know and do thy will with a perfect heart, and a willing mind. Vouchsafe them thy holy baptism, and unite them to thy holy church, and make them partakers of thy holy mysteries, through Christ our hope, who died for them, by whom be glory and worship unto thee, world without end. Amen." After this, let the deacon say, "Catechumens, depart in peace."

St. Chrysostom, in one of his homilies, gives us a like form of the deacon's bidding prayer for the catechumens. The law[7] of the church, says he, moves the faithful to pray for those who are yet unbaptized. For when the deacon says, "Let us pray fervently for the catechumens," he does nothing else but excite the whole multitude of the faithful to pray for them. For the catechumens are as yet aliens; they are not yet ingrafted into the body of Christ, nor made partakers of the holy mysteries, but remain divided from the spiritual flock. And for that reason he says, "Let us pray fervently;" that you may not reject them as aliens, that you may not disown them as strangers. For they are not yet allowed to use the prayer that was introduced and established by the law of Christ. He means the Lord's prayer. They have not yet liberty or confidence enough to pray for themselves, but need the help of those that are already initiated. For they stand without the royal gates, and at a distance from the holy rails. And for that reason are sent away when the tremendous prayers are offered at the altar. Upon this account the deacon exhorts you to pray for them, that they may be made members, and be no longer foreigners and aliens. For that word, "Let us pray," is not spoken to the priests only, but also to the people. For when he says, *Στῶμεν καλῶς, δεηθῶμεν*, "Let us stand decently, let us pray," he exhorts all to pray. And then he begins the prayer in these words:

"That the merciful and gracious God would vouchsafe to hear their prayers; that he would open the ears of their hearts; that they may hear what 'eye hath not seen, nor ear heard, neither hath it entered into the heart of man;' that he would instil into them the word of his truth; that he would sow the word of his truth in their hearts, and confirm his faith in their minds; that he would reveal unto them the gospel of righteousness; that he would give them a divine and heavenly mind, pure and holy thoughts, and a virtuous conversation; always to mind, always to regard, and meditate upon the things that belong to him, and to be occupied in his law day and night. Let us pray yet more ardently for them, that he would deliver them from all evil and absurd employments, from all diabolical sin, and all the circumventions of the adversary; that he would vouchsafe to bring them in due time to the laver of regeneration, and grant them remission of sins, and the clothing of incorruption; that he would, during their whole lives, bless their going out and their coming in, their houses and families; that he would increase and bless their children, and bring them to the measure of perfect age with the instruction of wisdom; and that he would direct all their purposes to their advantage."

After this, the deacon bids them rise up and pray for themselves, dictating what they were to pray for: "Pray, ye catechumens, for the angel of peace; that all your purposes may be peaceably directed: pray, that this present day, and all the days of your lives, may be spent in peace, and that you may make a Christian end. Commend yourselves to the living God and to his Christ."

This being done, says Chrysostom, we bid them bow their heads, and receive the benediction of God, as a sign that their prayers are heard. For it is not man that blesses them, but by his hands and tongue we present their heads, as they stand there, to the heavenly King; and then all the congregation with a loud voice cry out, "Amen."

Here is a plain account of the second prayer that was made for the catechumens by the bishop, which is styled here, as it is also in the Constitutions, the bishop's commendation or benediction.

Learned men think this homily was preached by Chrysostom when he was bishop of Constantinople. And if so, we must conclude that these prayers were the forms that were used then in the liturgy of Constantinople.

Sect. 4. What meant by their praying for the angel of peace in this form of prayer.

And I the rather incline to this opinion, because there is some little difference between this form of Chrysostom's and that in the Constitutions. For in this of Chrysostom's the catechumens are bid to pray for the angel of peace, which is not mentioned in the form of the Constitutions; though it be in another place,[8] where directions are given for the ordinary morning and evening service. St. Chrysostom often mentions this same petition for the angel of peace in his other homilies. As in his third homily upon the Colossians, where he says, Every man has angels attending him, and also the devil very busy about him. Therefore we pray[9]

but the true, consubstantial, and eternal Son of God; or, as our author expresses himself accurately elsewhere, he is hereby *Θεὸς μονογενὴς*, God the only-begotten; that is, the true Son of the Father, who is styled Lord of the Son, not as a Creator, but as a Father.

[7] Chrys. Hom. 2. in 2 Cor. p. 740.

[8] Constit. lib. 8. cap. 36 et 37.

[9] Chrys. Hom. 3. in Colos. p. 1338. *Διὰ τοῦτο εὐχόμεθα, καὶ λέγομεν αἰτοῦντες τὸν ἄγγελον τῆς εἰρήνης.*

and make our supplications for the angel of peace. And so in his sermon[10] upon the Ascension; speaking of the air being filled with good and bad angels, the one always raising war and discord in the world, and the other inclining men to peace, he tells his auditory, they might know there were angels of peace, by hearing the deacons always in the prayers bidding men pray for the angel of peace. This undoubtedly refers to the forementioned form of prayer, wherein the catechumens are directed to ask of God the protection of the angel of peace. In like manner in another[11] place, when the deacon bids men pray with others, he enjoins them this among the rest of their petitions, to pray for the angel of peace, and that all their purposes may be peaceably directed. Which are the very words of the catechumens' prayer abovesaid.

The design of all which was, not to teach their catechumens to pray to their guardian angels; (according to the modern way of instructing in the Romish church;[12] though this had been a very proper season to have admonished the catechumens of it, had there been any such practice in the ancient church;) but it was to teach them to pray to the God of angels: that he who makes his angels to encamp about his servants, would by their ministry defend them from the incursions of wicked spirits, those fomenters of war and division and enmity among men, and so keep them and all their purposes in a course of perpetual and uninterrupted peace, that they might finally make a Christian and a peaceable end.

Sect. 5. Children in some churches appointed to say this prayer with the rest of the people.

Another thing, wherein the form in the Constitutions differs from that in St. Chrysostom, is, that it appoints the children of the church particularly and more especially to join in this common prayer for the catechumens; whereas the form used in St. Chrysostom's church mentions no such thing: and Chrysostom himself in another place[13] says plainly, That children were not called upon to join in the prayers for the energumens and penitents, (which were of the same sort with these for the catechumens,) but only in the prayers for the communicants at the altar. As these differences prove the two forms not to belong to the liturgy of one and the same church; so they make it probable, that St. Chrysostom gives us the form used in the church of Constantinople, and the author of the Constitutions the form that was used at Antioch, or some other eminent church, whose rituals he transcribed and put together.

Sect. 6. What notice we have of this prayer in other ancient writings.

Now, by having fixed this prayer in its proper place, we may interpret all other passages in the ancient writers, which speak of praying over the catechumens, or praying with them. As that of the council of Nice, which orders, that if any of those, who were catechumens properly so called, that is, of that rank who had these prayers said over them, became lapsers, then they should for three years be thrust down to the rank of hearers only, and after that be admitted[14] to pray with the catechumens again. And that canon of the council of Neocæsarea,[15] which orders, that if any such catechumens, as were called *γόνυ κλίνοντες*, that is, prostrators, or kneelers, who bowed down to have these prayers said over them, should fall into any scandalous sin, then they should be excluded from the prayers, and be ranked among the hearers only: and if they fell again when they were hearers, they should be excluded from the very entrance of the church.

Sect. 7. Of the prayers for the energumens, or persons possessed by evil spirits. The forms of these prayers.

The next sort of persons for whom prayers were now made, were the energumens, that is, such persons as were seized or possessed by an evil spirit. For though these were under the peculiar care of the exorcists, an order set apart particularly to attend them, and pray over them in private, as has been showed more fully in a former[16] Book; yet their case being pitiable and deplorable, it was thought an act of becoming mercy and charity to let them have the public prayers of the church, and grant them liberty to be present at such prayers as immediately respected their condition. Therefore, as soon as the deacon had dismissed the catechumens, with the usual form, "Catechumens, depart in peace:" he said again, "Pray, ye energumens, who are vexed with unclean spirits." And exhorting the congregation also, he said, "Let us ardently pray for them," (as the form of this bidding prayer runs in the Constitutions,[17]) "that the merciful God, through Christ, would rebuke the unclean and evil spirits, and deliver his supplicants from the oppression and tyranny of the adversary; that he who rebuked the legion of devils, and the prince of devils, the fountain of evil, would now rebuke these apostates from piety, and deliver the works of his own hands from the molestations and agitations of Satan, and cleanse them which he hath created in great wisdom. Let us, further, most ardently pray for them. Save them, and raise them up, O God, by thy power.

[10] Hom. 35. in Ascension. Domini, t. 5. p. 535. *Ἵνα μάθῃς ὅτι ἄγγελοι εἰρήνης εἰσὶν, ἄκουσον ἐν ταῖς προσευχαῖς ἀεὶ λεγόντων τῶν διακόνων, τὸν ἄγγελον τῆς εἰρήνης αἰτήσατε.*

[11] Hom. 52. in eos qui Pascha jejunant, t. 5. p. 713. *Ὁ διάκονος δὲ κελεύων εὔχεσθαι μετὰ τῶν ἄλλων, καὶ τοῦτο ἐπιτάττει κατὰ τὴν εὐχὴν, αἰτεῖν τὸν ἄγγελον τῆς εἰρήνης, καὶ τὰ προκείμενα πάντα εἰρηνικά.*

[12] Vid. Drexel. de Cultu Cœlitum, lib. 2. cap. 3.

[13] Chrys. Hom. 71. in Mat. p. 624.

[14] Conc. Nicen. can. 14. [15] Conc. Neocæsar. can. 6.

[16] Book III. chap. 4. sect. 6, 7. [17] Constit. lib. 8. cap. 6.

Then he bids them bow down their heads, and receive the bishop's benediction, which is in the following form of words, immediately addressed to Christ.

"O thou only begotten God, the Son of the great Father; thou that bindest the strong one, and spoilest his goods; that givest power unto us to tread on serpents and scorpions, and over all the power of the enemy; that hast delivered up the murdering serpent unto us a prisoner, as a sparrow unto children; thou, before whom all things shake and tremble at the presence of thy power; that makest Satan to fall from heaven to the earth as lightning, not by a local fall, but by a fall from honour to disgrace, because of his voluntary malice; thou whose looks dry up the deep, and threatenings make the mountains melt, whose truth endures for ever; whom infants praise, and sucklings bless, and angels celebrate and adore; that lookest upon the earth, and makest it tremble; that touchest the mountains, and they smoke; that rebukest the sea, and driest it up, and turnest the rivers into a wilderness; that makest the clouds to be the dust of thy feet, and walkest upon the sea as upon a pavement: rebuke the evil spirits, and deliver the works of thy hands from the vexation of the adverse spirit: for to thee belongs glory, honour, and adoration, and by thee to thy Father in the Holy Spirit, world without end. Amen."

Sect. 8. An account of these prayers out of St. Chrysostom and others.

St. Chrysostom has not this whole form, but he often refers to it as one of the public prayers of the church. Common prayers, says he, are made by the priests[18] and people together for the energumens, and for the penitents; we all say one and the same prayers, the prayer that is so full of mercy. And again, For this reason[19] the deacon, at this time, brings those that are vexed with evil spirits, and commands them to bow down their heads only, and in that posture of body make their supplications. For they may not pray with the whole congregation of the brethren. And for this reason he presents them before you, that you, having mercy on them, both in regard of their vexation, and their disability to speak for themselves, may, by your freedom of access, give them patronage and assistance. In another place[20] he more fully explains the reason why this prayer for the demoniacs came before the oblation of the eucharist, and why at that time the deacon commanded them to be brought forth and bow their heads. Their being possessed of the devil, says he, is a cruel and grievous chain, a chain harder than any iron. As, therefore, when a judge is about to come forth, and sit upon the judgment seat, the keepers of the prison bring forth all the prisoners, and place them before the rails and curtains of the tribunal, in all their filth and nastiness, with their hair undressed, and clothed in rags; so our forefathers appointed, that when Christ was in a little time about to sit as it were upon his high throne, and shortly to appear in the holy mysteries, then the demoniacs should be brought forth, as so many prisoners in chains, not to be condemned or suffer punishment for their sins, as other prisoners, but that, when the people and whole city are present together in the church, common prayer might be made for them, whilst they all with one consent besought the common Lord for them, and with loud voices entreated him to show mercy on them. Here, though he does not specify the whole form, yet he plainly intimates both the time and subject matter of the prayer, and also the manner of the address; that it was a prayer sent up by the common voice of the people, some time before the appearance of Christ in the eucharist, and that as an address to God, to implore his mercy on those pitiable objects that lay in that forlorn condition before him. In which respect he elsewhere styles it the first prayer of mercy,[21] saying, The first prayer is full of mercy, when we pray for the energumens. The second also, wherein we pray for the penitents, sues equally for mercy. And the third, when we pray for ourselves, presents the children of the people before God, crying out to him for mercy. Where, by the first prayer, he does not absolutely mean the first prayer that was made in this part of Divine service; for it is plain, the prayer for the catechumens came before it: but because the energumens were in a more miserable condition than the catechumens, and greater objects of pity than they were, he therefore styles the prayer for them, the first prayer for mercy; as he does the prayer for the penitents, the second prayer for mercy, though it was in order the fourth; and the prayer for the faithful, the third prayer for mercy, though it belonged to another part of the service, of which we shall speak more particularly in the first chapter of the next Book.

Sect. 9. Of the third sort of prayers, for the *competentes*, or candidates of baptism.

The third prayer that came in the ordinary course of this part of the service, was the prayer for the *competentes*, or candidates of baptism, that is, such as had now given in their names, and expressed their desire of receiving baptism at the next approaching festival. This, I conceive, was but an occasional prayer, appropriated to certain seasons, as the time between Mid-Lent and Easter day, or other solemn times of baptism, when men were

[18] Chrys. Hom. 18. in 2 Cor. p. 873. *Καὶ γὰρ ὑπὲρ τῶν ἐνεργουμένων, ὑπὲρ τῶν ἐν μετανοίᾳ, κοιναὶ καὶ ἀπὸ τοῦ ἱερέως καὶ παρ' αὐτῶν γίνονται εὐχαί, καὶ πάντες λέγουσι μιάν εὐχὴν, εὐχὴν τὴν ἐλέου γέμουσαν.*

[19] Id. Hom. 3. de Incomprehensibili, t. 1. p. 365. *Διὰ τοῦτο καὶ τοὺς ἐνεργουμένους κατ' ἐκεῖνον ἵστησι τὸν καιρὸν ὁ διάκονος, κ.τ.λ.*

[20] Id. Hom. 4. de Incomprehens. t. 1. p. 374.

[21] Id. Hom. 71. al. 72. in Matt. p. 624.

more than ordinarily intent in preparing themselves for the reception of that sacred mystery. The forms of these kind of prayers we have also in the Constitutions,[22] where, as soon as the deacon has dismissed the energumens, he is appointed to cry out, **Εὔξασθε οἱ φωτιζόμενοι,** "Pray, ye candidates of baptism: and we that are already believers, let us ardently pray for them; that the Lord would make them worthy to be baptized into the death of Christ, and to rise again with him, and to be made members of his kingdom, and partakers of his mysteries; that he would unite them to his holy church, and number them with those that shall be saved therein. Save them, and raise them up by thy grace."

Then they are ordered to bow down their heads, and receive the bishop's benediction, which is expressed in the following words:

"O God, who didst, by the prediction of thy holy prophets, say to them that are to be initiated, Wash ye, make you clean; and by Christ didst appoint a spiritual regeneration: look down now upon these persons, who are to be baptized; bless and sanctify them; fit and prepare them, that they may be worthy of thy spiritual gift, and the true adoption of sons, and thy spiritual mysteries, and be deservedly numbered among those that are saved, by Christ our Saviour, through whom be all glory, honour, and adoration unto thee, and the Holy Ghost, world without end. Amen."

I have nothing further to remark concerning these prayers, because neither Chrysostom nor any other ancient writer, as far as I know, have said any thing particularly about them. Only this author in another place[23] makes them part of the daily morning and evening service, as has been noted before in speaking of that, under a former head. It is probable in many churches they were included in the forms for the catechumens in general. For the council of Laodicea,[24] which settles the order of the Divine service in the church, and appoints in what method it should proceed, speaks of the prayers of the catechumens, as immediately following the sermon, and then the prayers for the penitents, and after those the prayers for the faithful, which began the communion service; but makes no mention of any prayers for the candidates of baptism, as distinct from those of the catechumens. And this might be one reason why other writers make no mention of them. In other churches they were but occasional prayers, for the particular times of baptism, and therefore it is as little wonder that other authors pass them over without the least notice taken of them. However, that the author of the Constitutions found them distinct in the rituals of some churches, is not at all unlikely, because such forms for the candidates of baptism are now in use in the Greek church, as may be seen in Goar;[25] and Cardinal Bona[26] has observed the like in a very ancient Ordo Sacramentorum, lately in the possession of the queen of Sweden, where, in the office for the third Sunday in Lent, there is a special prayer inserted for those who were then examined and elected to receive baptism at Easter. But I proceed with the service of the ancient church.

Sect. 10. Of the last sort of prayers, for the penitents.

The last sort of prayers in this part of the service, were those which were made for the penitents, who were under the discipline and censures of the church. Some of these, called hearers only, were sent away with that order of catechumens which were distinguished by the same denomination of hearers; but others of them, called kneelers or prostrators, were permitted to stay longer, to receive the prayers of the church, and the bishop's benediction. Therefore, as soon as the candidates of baptism were dismissed, the deacon cried out, *Orate pœnitentes,* Ye that are under penance, make your prayers: and let us ardently pray for our brethren that are doing penance; "That the God of mercy[27] would show them the way of repentance; that he would admit their recantation and confession; that he would shortly bruise Satan under their feet, and deliver them from the snare of the devil, and the incursion of evil spirits, and preserve them from all evil words, all absurd practices, and all impure thoughts; that he would grant them pardon of all their sins, voluntary and involuntary, and blot out the hand-writing that is against them, and write them in the book of life; that he would cleanse them from all pollution of flesh and spirit, and unite and restore them to his holy flock: for he knows our frame: for who can glory that he has a clean heart? or who can say, that he is pure from sin? for we are all liable to punishment. Let us still pray more ardently for them, because there is joy in heaven over one sinner that repenteth; that they may turn from every evil work, and accustom themselves to all that is good; that the merciful God, receiving them kindly, may restore to them the joy of his salvation, and confirm them with his principal Spirit, that they may never fall or be shaken again; that they may communicate in his holy solemnities, and be partakers of his sacred mysteries; that being made worthy of the adoption of sons, they may obtain eternal life. Let us all further say for them, Lord, have mercy upon them: save them, O God, and raise them up by thy mercy."

This said, the deacon bids them rise up, and bow their heads to receive the bishop's benediction, which

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[22] Constit. lib. 8. cap. 7.
[23] Ibid. cap. 24 et 37.
[24] Conc. Laodic. can. 19.
[25] Goar, EuchＯlog. p. 339.
[26] Bona, Rer. Liturg. lib. 2. cap. 12. n. 4. p. 630.
[27] Constit. Apost. lib. 8. cap. 8.

is styled also imposition of hands and prayer for the penitents, and is conceived in the following words:[28]

"O almighty and eternal God, the Lord of the whole world, the Maker and Governor of all things, who hast made man to be an ornament of the world, through Christ, and hast given him both a natural and a written law, that he might live by the rules thereof, as a rational creature; that hast also, when he hath sinned, given him a motive and encouragement to repent, even thy own goodness: look down now upon those men, who bow the necks of their souls and bodies unto thee; for thou desirest not the death of a sinner, but his repentance, that he should turn from his evil way and live. Thou that acceptest the repentance of the Ninevites; that wouldst have all men to be saved, and come to the knowledge of the truth; that receivedst again the prodigal son, who had spent his substance in riotous living, with the compassionate bowels of a father, because of his repentance: accept now the repentance of these thy supplicants; for there is no man that sinneth not against thee: if thou, Lord, wilt mark what is done amiss, O Lord, who may abide it? For there is mercy and propitiation with thee. Restore them to thy holy church, in their former dignity and honour, through Christ our God and Saviour; by whom be glory and adoration unto thee, in the Holy Ghost, world without end. Amen."

Sect. 11. What notice we have of these prayers in Chrysostom and other writers.

St. Chrysostom does no where give us these prayers entire, but he frequently refers to them as then used in the church in this part of Divine service. We have heard him say before,[29] that common prayers were made by the priest and the people jointly together, as well for the penitents as the energumens; and that they all said one and the same prayer, the prayer full of mercy. In another place,[30] The first prayer is full of mercy, when we pray for the energumens: the second prayer likewise, wherein we pray for the penitents, makes intercession for mercy. I have given the reason already why both these prayers were styled prayers for mercy by Chrysostom, and I need here only observe, that they were used before the prayers for the faithful or communicants, as Chrysostom says expressly in the same place; and that they were by a certain form, because they were offered by the common voice both of minister and people. The council of Laodicea[31] also mentions this prayer for the penitents, as coming after the sermon, next to the prayers for the faithful. And in all ancient canons,[32] wherever we meet with the names of γονυκλίνοντες, ὑποπίπτοντες, and *prostrati*, kneelers or prostrators, we are to understand this order of penitents, who in this part of the service bowed down to receive the church's prayers and the bishop's benediction.

Sect. 12. In what part of the church these prayers were made.

As to the Greek church, then, it is demonstrated beyond all contradiction, that there was a particular service of prayers for the catechumens, energumens, and penitents, distinct from the communion service, in which they were again prayed for, though absent, among all other states and conditions of men. But there remain two questions, which have a little more difficulty in them. 1. In what part of the church these prayers were made? 2. Whether there were any such prayers at all in use in the Latin church? As to the first question, some learned persons[33] are of opinion, that not only the oblations were made at the altar, and the communion received there, but that all the prayers of the church were made at the altar likewise. Which is certainly true of all the prayers in the communion service, but not so certain of these prayers in the service of the catechumens. For, 1. The several orders for whom these prayers were made, and over whom they were made with imposition of hands also, had their station in a different part of the church; and we do not read that they were ever called up to the altar to receive their benediction; but in some canons are expressly ordered[34] to receive imposition of hands even in absolution before the *apsis*, or reading-desk, in case of scandalous offences; though absolution was usually given in ordinary cases at the altar. Now, if the prayer of absolution, which was their reconcilement to the altar, was sometimes made before the reading-desk, there is little question, but that the other prayers, which were but the introduction to their reconcilement, were made there also. 2. This service of the catechumens and penitents was altogether a distinct service from that of the *fideles* or communicants, and a final dismission of them was always made before the latter service began. 3. There is an express order in the third council of Carthage, that all prayers made at the altar should be directed to the Father only, and not to the Son:[35] and yet it is evident, that the prayer for the energumens was directed to the Son, as we have seen before in

[28] Constit. Apost. lib. 8. cap. 9.

[29] Chrys. Hom. 18. in 2 Cor. cited above, sect. 8.

[30] Ibid. Hom. 71. in Matt. p. 624.

[31] Conc. Laodic. can. 19.

[32] Vid. Conc. Nic. can. 11. Conc. Ancyran. can. 4, 5, 6, 7, 8, 9, et 25. Conc. Neocæsar. can. 6. Basil. Epist. Canon. can. 75.

[33] Stillingfl. Unreason. of Separat. part 3. sect. 9. p. 250.

[34] Conc. Carthag. 3. can. 32. Cujuscunque pœnitentia publicum et vulgatissimum crimen est, quod universam ecclesiam commoverit, ante apsidem manus ei imponatur.

[35] Ibid. can. 23. Ut nemo in precibus vel Patrem pro Filio, vel Filium pro Patre nominet: et cum ad altare assistitur, semper ad Patrem dirigatur oratio.

the form cited[36] out of the Constitutions. So that either the discipline of the Eastern churches differed very much from those of the West; or else we must necessarily conclude, that these prayers, some of which are directed to the Son, were not made at the altar.

Sect. 13. Whether there were any such distinct prayers for the catechumens and penitents in the Latin church.

But it may be said, the prayers in the Latin church were never directed to the Son: or perhaps they had no such prayers for the catechumens and penitents in particular, as they had in the Oriental liturgies, distinct from those which were made for all orders of men both before and after consecration in the communion service. The matter indeed is not so clear, I confess, in the Latin church, as I have showed it to be in the Eastern: and that which increases the difficulty is, that some authors seem to intimate, that as soon as the sermon was ended, the catechumens were dismissed, and then the communicants betook themselves to prayers at the altar. Behold, says St. Austin, after the sermon the catechumens have their dismission; but the faithful abide still, and come[37] to the place of prayer, meaning the altar, where the Lord's prayer was, according to custom, to be repeated by the communicants only. St. Ambrose,[38] speaking of the same matter, says, When the sermon was done, he dismissed the catechumens, and rehearsed the creed to some candidates of baptism in the baptistery of the church. But these do not amount to a proof, that the communion service succeeded immediately after the sermon, and that no other prayers or business came between them. For this very place of St. Ambrose shows, that at least sometimes the repetition of the creed to the candidates of baptism was in the interval. And one of the forecited canons of the council of Carthage makes it evident, that at other times the prayer for the absolution and reconcilement of a scandalous offender was made in the *apsis*, or reading-desk, before the communion service likewise. And the other canon as plainly intimates, that some prayers were directed to the Son as well as the Father, by the prohibition that is made of not changing the name of the Son for the Father, or the Father for the Son; which prohibition had been needless, had there been no prayers directed to the Son. Now, admitting there were some prayers directed to the Son, these must be made before the communion service, since at that time, by the same canon, all prayers are ordered to be directed to the Father only. For these reasons I conclude, that the practice of the Greek and Latin churches was the same, and that there were prayers in both for the catechumens, energumens, and penitents, in their presence, distinct from those which were afterwards made for them in their absence at the altar. And so I have done with the first part of Divine worship, which the ancient church called her *missa catechumenorum*, or ante-communion service.

[36] See before, sect. 7.

[37] Aug. Hom. 237. de Tempore, t. 10. p. 385. Ecce post sermonem sit missa catechumenis. Manebunt fideles, venietur ad locum orationis. Scitis quo accessuri sumus, quid prius Deo dicturi sumus? Dimitte nobis debita nostra, sicut et nos dimittimus debitoribus nostris.

[38] Ambros. Ep. 33. ad Marcellinam Sororem. Post lectiones et tractatum, dimissis catechumenis, symbolum aliquibus competentibus in baptisteriis tradebam ecclesiæ.

BOOK XV.

OF THE MISSA FIDELIUM, OR COMMUNION SERVICE.

CHAPTER I.

OF THE PRAYERS PRECEDING THE OBLATION.

Sect. 1. Of the prayer called διὰ σιωπῆς, or silent prayer.

WHEN the several orders of the catechumens, penitents, and energumens were dismissed, which was the completion of the *missa catechumenorum;* then immediately began that part of the service, which is properly called *missa fidelium*, or communion service, because none but communicants (or at least such of the penitents as had gone through all the stages of repentance, and were now waiting for absolution, called therefore συνιστάμενοι, or co-standers) might be present at it. The entrance on this service was made by a mental or silent prayer, made by the people in private, and thence called εὐχὴ διὰ σιωπῆς, the silent prayer, and εὐχὴ κατὰ διάνοιαν, the mental prayer. This we learn from a canon of Laodicea, which gives a summary account of the whole order of the service of the church; and therefore, for our clearer proceeding in this matter, I think it not improper to put it down entire in this place, as being one of the most remarkable canons in the whole Code, and that which will give great light to the subsequent discourse. The words of the canon are these: That after the homily of the bishop,[1] first the prayer of the catechumens is to be made; and after the catechumens are gone forth, then the prayer for the penitents; and when they have received their benediction by imposition of hands, and are withdrawn, then the three prayers of the faithful are to be made; the first of which is to be performed in silence, the second and third by the bidding and direction [of the deacon]. After these the kiss of peace is to be given; presbyters saluting the bishop, and laymen one another: and then the holy oblation shall be celebrated; those of the clergy only communicating in the chancel.

Some learned persons take the prayer in silence here to mean no more than prayers made over the communicants by the minister alone, the people not making any responses; and by the prayers called εὐχαὶ διὰ προσφωνήσεως, they understand prayers made by way of responses, the minister and people mutually answering one another. But this explication does not come up to the sense of this canon. For by the prayer in silence, we are here to understand such private prayers as each particular person made by himself; and by the prayers διὰ προσφωνήσεως, such prayers as the whole church made in common by the call and admonition of the deacon, who repeated the several forms, directing them what things they were to pray for, to each of which petitions they subjoined their Κύριε ἐλέησον, "Lord have mercy, and grant the petitions we ask;" and then the bishop added the ἐπίκλησις, or invocation, which was also called *collecta*, the collect, because it was a collection or repetition of all the prayers of the people. That there were these three sorts of prayers in the ancient church, is evident from the accounts that are given of each of them. And first, that there were such private prayers of every particular person by himself, appears not only from this canon, but from several ancient writers. St. Chrysostom[2] takes notice that some in these private prayers spent their time in nothing else but praying for revenge upon their enemies. Many men, says he, fall prostrate upon the ground, and beat the earth with their foreheads, and shed abundance of tears, and groan bitterly within themselves, stretching forth their hands, and showing great zeal, and yet use all this fervour and earnestness only against their own salvation. For they pray to God, not for their

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[1] Conc. Laodic. can. 19. Περὶ τοῦ δεῖν ἰδίᾳ πρῶτον, μετὰ τὰς ὁμιλίας τῶν ἐπισκόπων, καὶ τῶν κατηχουμένων εὐχὴν ἐπιτελεῖσθαι· καὶ μετὰ τὸ ἐξελθεῖν τοὺς κατηχουμένους, τῶν ἐν μετανοίᾳ τὴν εὐχὴν γίνεσθαι, καὶ τούτων προσελθόντων ὑπὸ χεῖρα, καὶ ὑποχωρησάντων, οὕτως τῶν πιστῶν τὰς εὐχὰς γίνεσθαι τρεῖς, μίαν μὲν τὴν πρώτην διὰ σιωπῆς, τὴν δὲ δευτέραν καὶ τρίτην διὰ προσφωνήσεως πληροῦσθαι, εἶθ' οὕτως τὴν εἰρήνην δίδοσθαι, κ.τ.λ.

[2] Chrysostom. 57. De non evulgandis Peccatis, t. 5. p. 762.

own offences, they do not beseech him to pardon their own sins, but they spend all this labour against their enemies. Which is the same thing, as if a man should whet his sword, and then not use it against his adversaries, but thrust it into his own throat. For so these men use their prayers, not to obtain pardon of their own sins, but to accelerate the punishment of their enemies; which in effect is to run the sword into their own bowels. A little after he tells us the very words of their prayers, which were these: "Revenge me of my enemies, O Lord, and show them that I have a God." By all which it appears, that these were the private prayers of the people, which they might abuse, and not the public prayers of the church; for the church never taught her children to curse their enemies, but to bless and pray for them. But in these private prayers, which were designed for confession of sins and deprecation of God's judgments, evil men took liberty to transgress all rules, and gratify their passions by asking revenge upon their enemies. Now, though this was a grand abuse of these private prayers, yet it serves to show us both what the custom was in the church's allowance of such prayers, and what in her designation was the true use of them. St. Basil, speaking of their vigils or night assemblies,[3] intimates as plainly, that they were spent in such private prayers intermingled with divers sorts of psalmody. And Cassian gives the same account of them both in the Eastern and Western churches, as I have showed at large in speaking of the daily morning and evening service, which began with private confession in the Eastern churches, mentioned by St. Basil, and ended with public confession, made in the words of the 51st Psalm, which was thence called the psalm of confession, or the penitential psalm[4] for the morning service. But as to the private confessions we are now speaking of, with which the communion service here began, we are to note further, that they were not only made by the people in silence by themselves, but by the minister in private also. And the footsteps of this practice remain in some of the oldest liturgies of several churches, quite different from the present confessions in the Roman Missal: for whereas now in the Roman Missal the confession of sins is made to saints and angels, as well as God, all the offices, for at least a thousand years after Christ, had their confessions only to God. Thus it is in the forms of confession in Gregory's Sacramentarium, and others published by Menardus. And this is that manuscript, which Cardinal Bona so much magnifies in the queen of Sweden's library, as containing the offices of the old Gallican liturgy. To show that these confessions were made only to God, and not to any saints or angels, and withal that they were particular confessions made by the priest only in private, διὰ σιωπῆς, as the Laodicean canon words it, I will here transcribe that which Bona gives us out of that ancient MS. as the confession of the Gallican office. It is there called Apologia Sacerdotis,[5] The Apology of the Priest, or the Confession of his Sins, and it runs in these words:

"O thou most admirable Majesty, and great God, Almighty Father, who art of infinite goodness and power, I, who am a most vile sinner, and condemned by the testimony of my own conscience, do approach thee, and present myself in the sight of thy greatness, before the eyes of thine ineffable Majesty, before thy holy face, not without due reverence, yet with great unworthiness and neglect of duty. I do not excuse, but accuse myself unto thee. I confess, I say I confess the unrighteousness of my impiety, that thou mayest forgive the wickedness of my sin. I confess, that if thou dost not forgive, thou mayest punish me. I confess myself a criminal before thee, and yet I know my amendment is only in words. In words I endeavour to appease thee, but in works I offend thee. I am sensible of my faults, and yet I defer the amendment. Assist me therefore, assist me, O thou ineffable Goodness. Pardon me, pardon me, O most adorable Trinity. Spare me, spare me, spare me, I beseech thee, O merciful God. Hear me, hear me, hear me, I beseech thee, when I cry in the words of that prodigal son, O Father, eternal God, I have sinned against heaven and before thee: I am no more worthy to be called thy son, make me as one of thy hired servants. And now, merciful Father, I fly to the only refuge and haven of thy mercy under the protection of Christ, that what is vile in me, thou mayest favourably vouchsafe to accept in him, who livest and reignest for ever and ever. Amen."

It is plain here, that as there is no address to either saint or angel in this prayer, so it is a private prayer of the priest alone for himself, whilst the people were likewise employed in making their private confessions to God: which shows us the meaning of that silent prayer spoken of in the council of Laodicea, which is called the first prayer in the entrance of the communion service.

All I shall add further here concerning these private prayers, is to make an observation upon two ancient forms of speech, which have some relation to this matter, and help to confirm it: that is, the forms, *Silentium indicere*, and *Orationem dare*, both which are used to denote the custom of bidding the people fall to their private devotions. Sometimes the bishop was used to give the signal, by saying, *Oremus*, Let us pray; and then the people betook

[3] Basil. Ep. 63. ad Neocæsar. t. 3. p. 96.
[4] See Book XIII. chap. 10. sect. 13.
[5] Bona, Rer. Liturg, lib. 2. cap. 1. n. 1.

themselves to their private devotions, after which the bishop summed up their prayers in a short collect by way of solemn invocation. Thus Uranius[6] describes the rite in the Life of Paulinus, bishop of Nola, when he tells us, how a certain bishop went into his throne, and there saluting the people, and being saluted by them again, he then, according to custom, gave the signal for prayer, and afterward summed up their prayers in a collect, and so breathed out his last. Sometimes the deacon gave the signal, and this was called *Silentium indicere.* Thus it was in the Gallican churches, as Bishop Stillingfleet has observed out of Gregory[7] of Tours; and the priest did it by the Mozarabic liturgy. Where he rightly concludes, that this phrase, *Silentium indicere,* does not barely signify making the people attentive, but there was a further meaning in it, that they were for a time there to attend to their own private prayers. Which he thinks not improbable on these considerations. "1. Gregory Turonensis saith in the place before-mentioned, That the king took that time to speak to the people, who immediately brake forth into a prayer for the king; not that any collect was then read for him, for that was not the proper time for it; but it being a time of secret prayers, they were so moved with what the king said, that they all prayed for him. 2. Among the heathens, when they were bidden *favere linguis,* yet then, Brissonius[8] saith, They made their private prayers; and as the deacon's commanding silence seems to be much of the same nature, it is not probable that the Christians should fall short of their devotions. 3. The great argument, says he, to me, is the small number of collects in the ancient churches; for the Christians spent a great deal of time in the public service on the Lord's day, and the stationary days (I add also their vigils); but all other offices could not take up that time, there being no long extemporary prayers, nor such a multitude of tedious ceremonies in all parts, as the Roman Breviary and Missal introduced; and the collects of greatest antiquity, being very few and short, it seems most probable, that a competent part of the time was spent in private devotions. A remainder whereof is still preserved in the office of ordination of priests in our church, whereby silence is commanded to be kept for a time, for the people's secret prayers. And the same custom was observed at the bidding of prayers, which was a direction for the people what to pray for in their private devotions."[9]

Sect. 2. Of the prayers called, δια προσφωνήσεως, or bidding prayers.

And this leads us in the next place to consider the second sort of prayers mentioned in the Laodicean canon, which are there styled, *εὐχαὶ διὰ προσφωνήσεως,* which we may English, bidding prayers; for they were not only a call to the people to pray, but a direction what particulars they were to pray for. We have a form of this sort of prayer in the Apostolical Constitutions, immediately after the dismission of catechumens and penitents, where it is called *προσφώνησις ὑπὲρ τῶν πιστῶν,* a direction or bidding prayer for the communicants or believers. It is there ushered in with these words:[10] Let no one of those that are not allowed, come near. As many as are believers, let us fall upon our knees. Let us pray to God through his Christ. Let us all intensely beseech God through his Christ. Then follow the several petitions in this order.

"Let us pray for the peace and tranquillity of the world and the holy churches; that the God of the whole world would grant us his perpetual and lasting peace, and keep us persevering to the end in all the fulness of piety and virtue.

"Let us pray for the holy catholic and apostolic church, from one end of the earth to the other; that the Lord would keep it unshaken and undisturbed with storms and tempests, founded on a rock, to the end of the world.

"Let us pray for the holy church (*παροικίας*) in this place; that the Lord of all would grant us grace to pursue his heavenly hope without ceasing; and that we may render him the continual debt and tribute of our prayers.

"Let us pray for the whole episcopate or company of bishops under heaven, that rightly divide the word of truth. And let us pray for James our bishop and his churches:

"Let us pray for Clemens our bishop and his churches:

"Let us pray for Euodius our bishop and his churches: that the merciful God would preserve them in safety, honour, and length of days, for the benefit of his holy churches; and grant them a venerable old age in all piety and righteousness.

"Let us likewise pray for our presbyters, that God would deliver them from every absurd and wicked thing, and preserve them safe and honourable in their presbytery.

"Let us pray for the whole order of deacons and subdeacons in Christ; that the Lord would keep them unblamable in their ministry.

"Let us pray for the readers, singers, widows, and orphans.

"Let us pray for those that live in matrimony, and procreation or education of children, that God would have mercy upon them all.

"Let us pray for the eunuchs that walk in holiness.

[6] Uran. Vit. Paulini. Ad ecclesiam processit, et ascenso tribunali populum ex more salutavit, resalutatusque a populo orationem dedit, et collecta oratione spiritum exhalavit.

[7] Stillingfl. Orig. Britan. cap. 4. p. 223. ex Greg. Turon. lib. 7. c. 7.

[8] Brisson. de Formulis, p. 9, 10.

[9] Vid. Mat. Parker, Concion. in Obit. Buceri.

[10] Constit. Apost. lib. 8. c. 9 et 10. Vid. lib. 2. cap. 57

"Let us pray for those that live in continency or virginity, and lead a pious life.

"Let us pray for those that make oblations in the holy church, and give alms to the poor.

"Let us pray for those that offer their sacrifices and firstfruits to the Lord our God, that the most gracious God would reward them with heavenly gifts, and restore them an hundred-fold in this world, and grant them everlasting life in the world to come; giving them heavenly things for their earthly, and for their temporal things those that are eternal.

"Let us pray for our brethren that are newly baptized, that the Lord would confirm and establish them.

"Let us pray for our brethren that are afflicted with sickness, that the Lord would deliver them from all their distempers and infirmities, and restore them again in health to his holy church.

"Let us pray for all those that travel by sea or by land.

"Let us pray for those that are in the mines, and in banishment, and in prison, and in bonds, for the name of the Lord.

"Let us pray for our enemies and those that hate us.

"Let us pray for those that persecute us for the name of the Lord, that the Lord would mitigate their fury, and dissipate their anger conceived against us.

"Let us pray for those that are without, and led away with error, that the Lord would convert them.

"Let us remember the infants of the church, that the Lord would perfect them in his fear, and bring them to the measure of adult age.

"Let us pray mutually for one another; that the Lord would keep and preserve us by his grace unto the end, and deliver us from the evil one, and from all the scandals of those that work iniquity, and conduct us safe to his heavenly kingdom.

"Let us pray for every Christian soul.

"Save us, O God, and raise us up by thy mercy."

It is here to be supposed, that as in the former prayers for the catechumens and penitents,[11] so here at the end of every petition the people answered, Κύριε ἐλέησον, "Lord have mercy upon them." Or, as it is in the close of this prayer, "Save them, O God, and raise them up by thy mercy."

Any one that will compare either our litany, or the prayer for the whole state of Christ's church in the beginning of our communion service, will readily perceive, that there is a near affinity between them and this general form of the ancient church. We have not so complete a form either in Chrysostom's genuine works, or any other ancient writer, to compare this with, as we did before in considering the form for the catechumens; but there are two very ancient forms of such a prayer, without any addition of invocation of saints, still preserved, one in the Ambrosian liturgy, and the other in an ancient office transcribed by Wicelius out of the library of Fulda, which, because they come near this ancient form in the Constitutions, I will here insert them[12]

[11] See Book XIV. chap. 5.

[12] In Codice Fuldensi Litania Missalis.

Dicamus omnes ex toto corde totaque mente: *Domine miserere.*

Qui respicis terram, et facis eam tremere. *Oramus te, Domine, exaudi et miserere.*

Pro altissima pace et tranquillitate temporum nostrorum. *Oramus te Domine, &c.*

Pro sancta ecclesia catholica, quæ est a finibus usque ad terminos orbis terrarum. *Oramus te Domine, &c.*

Pro patre nostro episcopo, pro omnibus episcopis ac presbyteris et diaconis, omnique clero. *Oramus te Domine.*

Pro hoc loco et habitantibus in eo. *Oramus te Domine, &c.*

Pro piissimo imperatore et toto Romano exercitu. *Oramus te Domine, &c.*

Pro omnibus qui in sublimitate constituti sunt, pro virginibus, viduis, et orphanis. *Oramus te Domine.*

Pro pœnitentibus et catechumenis. *Oramus te Domine.*

Pro his qui in sancta ecclesia fructus misericordiæ largiuntur. Domine Deus virtutum exaudi preces nostras. *Oramus te Domine.*

Sanctorum apostolorum et martyrum memores sumus, ut orantibus eis pro nobis veniam mereamur. *Oramus te Domine.*

Christianum ac pacificum nobis finem concedi a Domino comprecemur. *Præsta Domine, præsta.*

Et divinum in nobis permanere vinculum charitatis, Dominum comprecemur. *Præsta Domine, præsta.*

Conservare sanctitatem ac puritatem catholicæ fidei, sanctum Deum comprecemur. *Præsta, Domine, præsta.*

Dicamus omnes, *Domine, exaudi et miserere.*

Altera formula ex vita Ambrosiana in Dominica prima quadragesimæ, incipiente diacono, et choro respondente.

Divinæ pacis et indulgentiæ munere supplicantes ex toto corde et ex tota mente, precamur te. *Domine miserere.*

Pro ecclesia sancta catholica, quæ hic et per universum orbem diffusa est, precamur te. *Domine miserere.*

Pro papa nostro N. et pontifice nostro N. et omni clero eorum, omnibusque sacerdotibus ac ministris, precamur te. *Domine miserere.*

Pro famulis tuis N. imperatore et N. rege, duce nostro, et omni exercitu eorum, precamur te. *Domine miserere.*

Pro pace ecclesiarum, vocatione gentium, et quiete populorum, precamur te. *Domine miserere.*

Pro civitate hac et conservatione ejus, omnibusque habitantibus in ea, precamur te. *Domine miserere.*

Pro aeris temperie, ac fructu et fœcunditate terrarum, precamur te. *Domine miserere.*

Pro virginibus, viduis, orphanis, captivis, ac pœnitentibus, precamur te. *Domine miserere.*

Pro navigantibus, iter agentibus, in carceribus, in vinculis, in metallis, in exiliis constitutis, precamur te. *Domine miserere.*

Pro iis qui diversis infirmitatibus detinentur, quique spiritibus vexantur immundis, precamur te. *Domine miserere.*

Pro iis qui in sancta ecclesia tua fructus misericordiæ largiuntur, precamur te. *Domine miserere.*

Exaudi nos in omni oratione atque deprecatione nostra, precamur te. *Domine miserere.*

Dicamus omnes, *Domine miserere.*

in the margin for the use of the learned reader, out of Pamelius his Liturgics, t. 3. p. 307, and Cardinal Bona, Rerum Liturgicarum, lib. 2. cap. 4. n. 3, and then see what remains of this ancient prayer we meet with in the undoubted writings of the fathers. For though none of them gives us the same form entire, yet one may easily perceive, by the near alliance of the fragments that remain, that they all refer to the same original. For there are, both in Chrysostom and other writers, several fragments of such a prayer, and plain intimations that either this or a like form was in use in many churches. And therefore it will not be amiss to collect these references and fragments before we proceed any further.

Sect. 3. The form of this sort of prayers in the Constitutions, compared with the fragments that occur in Chrysostom, and other writers.

St. Chrysostom, in one of his sermons, spoken to the people of Antioch, plainly shows that they had such a form of bidding prayer in use in that church: for he relates some of the petitions of it, which are so like the form in the Constitutions, that he will not judge amiss that thinks the author of the Constitutions had his form from the same original whence we are sure St. Chrysostom had his, viz. the liturgy of the church of Antioch. For, says he, when you all[13] in common hear the deacon bidding this prayer, and saying, "Let us pray for the bishop, and for his old age, and for grace to assist him, that he may rightly divide the word of truth," and for those that are here, and those that are in all the world, you refuse not to do what is commanded you, but offer your prayers with all fervency, as knowing what power there is in common prayer. They that are initiated know what I say. For this is not yet allowed in the prayer of the catechumens. For they are not yet arrived to this boldness and liberty of speech. But the deacon, who ministers in this office, exhorts you to make prayers for the whole world, and for the church extended from one end of the earth to the other, and for all the bishops that rule and govern it; and ye obey with readiness, testifying by your actions, that great is the power of prayer, when it is offered up by the people with one voice in the church. Here we may observe, that this was the bidding prayer; for it was done by the *celeusma*, or call and admonition of the deacon, telling them what they were to pray for. Then again, that it was a prayer peculiar to the communicants, and used only in the communion service; for the catechumens were not allowed to join in it. And further, that the petitions for the whole world, for the church over all the earth, for all bishops wheresoever governing the church, and particularly for the bishop of the place, that "he might live to a good old age, and have the help of God's grace to enable him rightly to divide the word of truth," are the same petitions that occur in the Constitutions: which makes it evident that these forms of bidding prayer were then commonly used in the catholic church. Chrysostom, in another place, speaks of this same prayer as performed in common both by ministers and people; and by both of them in the posture of kneeling or prostration. For giving an account of the several prayers of the church, in which the people bear a part with the minister, he says, They prayed in common for persons possessed with evil spirits, and for the penitents; and then, after they were excluded who could not partake of the holy table, they made another prayer,[14] in which they all fell prostrate upon the earth together, and all in like manner rose up together. This is a plain reference to that bidding prayer, before which the deacon commanded all to fall down upon the ground, and make those several petitions in that posture, and then gave the signal to rise again, by saying, Ἀναστῶμεν, Let us rise, as it is worded in the Constitutions. Chrysostom has many other passages, which speak of prayers for the whole state of the church, for bishops, for the universe, and the public peace; but because these refer more peculiarly to the prayer immediately following the consecration and oblation, (where a more solemn commemoration of all states was again made,) I will refer the notice of them to the discourse upon that prayer in its proper place.

However, I cannot omit mentioning one remarkable thing more out of St. Chrysostom, relating to this prayer, which is, That this prayer was esteemed so much the common prayer of the people, that the children of the church were particularly enjoined to bear a part in it. For in one of his homilies upon St. Matthew, speaking first of the prayer for the demoniacs, secondly, of the prayer for the penitents, thirdly, of this prayer for the communicants, he observes, That the two former were offered by the people alone, as intercessors for mercy for others; but this prayer, which was for themselves, was presented also by the innocent children of the people,[15] crying to God for mercy: it being supposed, that their innocency and humility, the imitation of which qualifies men for the kingdom of heaven, were good

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[13] Chrys. Hom. 2. de Obscurit. Prophetiarum, t. 3. p. 946. Κοινῇ πάντες ἀκούοντες τοῦ διακόνου, τοῦτο κελεύοντος καὶ λέγοντος, δεηθῶμεν ὑπὲρ τοῦ ἐπισκόπου, καὶ τοῦ γήρως, καὶ τῆς ἀντιλήψεως, καὶ ἵνα ὀρθοτομῇ τὸν λόγον τῆς ἀληθείας, καὶ ὑπὲρ τῶν ἐνταῦθα, καὶ ὑπὲρ τῶν ἁπανταχοῦ, οὐ παραιτεῖσθε ποιεῖν τὸ ἐπίταγμα, κ.τ.λ.

[14] Chrys. Hom. 18. in 2 Cor. p. 873. Πάλιν ἐπειδὰν εἴρξομεν τῶν ἱερῶν περιβόλων τοὺς οὐ δυναμένους τῆς ἱερᾶς μετασχεῖν τραπέζης, ἑτέραν δεῖ γενέσθαι εὐχὴν, καὶ πάντες ὁμοίως ἐπ' ἐδάφους κείμεθα, καὶ πάντες ὁμοίως ἀνιστάμεθα.

[15] Chrys. Hom. 71. al. 72. in Matt. p. 624. Ἡ δὲ τρίτη πάλιν εὐχὴ ὑπὲρ ἡμῶν αὐτῶν, καὶ αὕτη τὰ παιδία τὰ ἄμωμα τοῦ δήμου προβάλλεται, τὸν Θεὸν ἐπὶ ἔλεον παρακαλοῦντα.

recommendations of their prayers, when they solemnly implored the Divine mercy. Which plainly shows, that this was a general prayer of all degrees of persons in the church. We may note further out of St. Austin, that the universal church, or the greatest part of it, had such prayers preceding the consecration of the eucharist, which were properly called *precationes*, or *deprecationes*, supplications for themselves and others, and *communis oratio*, common prayer, because they were performed by the common voice of the deacon and the people. In one of his epistles[16] he divides the whole service of the church into these five parts: 1. Singing of psalms. 2. Reading of the Scriptures. 3. Preaching. 4. The prayers of the bishops and presbyters. 5. The common prayers indited by the voice or direction of the deacons; which were the bidding prayers we are now discoursing of. Whence we learn the meaning of the deacon's being said, *Indicere communem orationem;* that it means not barely his commanding them to pray, but his going before them in a form of words, to which they might join their common responses.

In another epistle,[17] he divides the communion service into four parts, according to that division of St. Paul, 1 Tim. ii. 1, "I exhort therefore, that first of all, supplications, prayers, intercessions, and giving of thanks, be made for all men;" taking supplications for these common prayers made for all men before the consecration of the elements; and prayers, in the Greek called *εὐχαὶ*, for the prayers of consecration, of which the Lord's prayer was one, because the people did then solemnly dedicate themselves to Christ, which is the most common notation of the word *εὐχή*, a vow. By intercessions, he understands the benedictions of the people by imposition of hands, used at that time by the bishops and other chief ministers, recommending them to the mercy of God; and by thanksgiving, the doxologies and returns of praise after the participation was over. So that here we have a plain account of the church's service, and particularly that the prayers before the consecration were those solemn addresses, which were made chiefly by the deacon and people, and therefore were called, *communis oratio voce diaconi indicta*, the common prayers of the people, enjoined and ordered by the bidding of the deacon. In another place he mentions some of the particulars then prayed for. For writing to one Vitalis of Carthage, who maintained that infidels were not to be prayed for, he urges him with the known practice of the church. Dispute then, says he, against the prayers of the church, and when you hear the priest of God[18] exhorting the people of God at the altar to pray for infidels, that God would convert them to the faith; and for catechumens, that God would inspire them with a desire of regeneration; and for the faithful, that they may persevere by his grace in that wherein they have begun; mock at these pious words, and say you do not do what he exhorts you to do, that is, that you do not pray to God for infidels, that he would make them believers. Here we see the prayers for the conversion of infidels and the perseverance of believers are the same with those that occur in the Constitutions, and in both places are said to be done at the bidding or exhortation of the minister.

St. Basil also speaks of these prayers, under the name of *κηρύγματα ἐκκλησιαστικὰ*, which is not to be understood of preaching in the church, but of these prayers, which the deacon, as the common *κῆρυξ*, or proclaimer and director of the service, appointed the people to make for all orders of men in the church. And so St. Basil himself explains his own meaning. For writing to a friend in a foreign country, he tells him it was impossible he should forget him in his prayers, unless he should forget the work to which the Lord had appointed him. For you, says he, who are by the grace of God a believer, remember very well the bidding prayers of the church;[19] how we there pray for all our brethren that travel in foreign countries, and for all those that are mustered in the camp, and for those that undertake any brave and bold thing for the name of the Lord, and for all such as show forth any fruits of the Spirit; for all these we make prayers in the holy church. And he tells his friend,

[16] Aug. Ep. 119. ad Januar. cap. 18. Quando autem non est tempus (cum in ecclesia fratres congregantur) sancta cantandi, nisi cum legitur, aut disputatur, aut antistites clara voce deprecantur, aut communis oratio voce diaconi indicitur?

[17] Aug. Ep. 52. ad Paulin. Quæst. 5. Eligo in his verbis hoc intelligere, quod omnis vel pene omnis frequentat ecclesia, ut precationes accipiamus dictas, quas facimus in celebratione sacramentorum, antequam illud quod est in Domini mensa, incipiat benedici: orationes, cum benedicitur et sanctificatur, et ad distribuendum comminuitur quam totam petitionem fere omnis ecclesia Dominica oratione concludit. — Interpellationes autem, sive, ut vestri codices habent, postulationes, fiunt cum populus benedicitur. Tunc enim antistites, velut advocati, susceptos suos per manus impositionem misericordissimæ offerunt potestati. Quibus peractis, et participato tanto sacramento, gratiarum actio cuncta concludit, quam in his etiam verbis ultimam commendavit apostolus.

[18] Aug. Ep. 107. ad Vital. p. 187. Exercere contra orationes ecclesiæ disputationes tuas, et quando audis sacerdotem Dei ad altare exhortantem populum Dei, orare pro incredulis, ut eos Deus convertat ad fidem; et pro catechumenis, ut eis desiderium regenerationis inspiret; et pro fidelibus, ut in eo quod esse cœperunt, ejus munere perseverent; subsanna pias voces, et dic te non facere quod hortatur, &c.

[19] Basil. Ep. 241. *Μέμνησαι γὰρ πάντως τῶν κηρυγμάτων τῶν ἐκκλησιαστικῶν, πιστὸς ὢν τῇ τοῦ Θεοῦ χάριτι, ὅτι καὶ ὑπὲρ τῶν ἐν ἀποδημίαις ἀδελφῶν δεόμεθα, κ.τ.λ.*

that he being a person singularly eminent, and in all those capacities, as a traveller, as a warrior, as a confessor, as a virtuous man, was always remembered in the public prayers of the church. He mentions no other particulars, because he had no occasion to specify any more but what related to this particular man's case; but we need not doubt but that there were many other such petitions in the liturgy of the church of Cæsarea, as there were in those of Antioch, and the African churches. Cæsarius Arelatensis also speaks of these bidding prayers as used in the Gallican churches. For in one of his homilies to the people[20] he exhorts them, that as often as the clergy prayed at the altar, or prayer was enjoined by the bidding of the deacon, they should bow not only their hearts, but their bodies also. For it was a very irregular thing, and unbecoming Christians, that when the deacon cried out, "Let us bend the knee," the greatest part of the people should stand erect like pillars, as he had observed them to do in their devotions. Here, though we have none of the particular petitions, yet there is a plain reference to them, and two of the circumstances mentioned, that is, that they were to be made kneeling, and by the indiction or direction of the deacon.

Sect. 4. Of the invocation, or collect, following the prayers of the people.

And in these circumstances they differed from the following prayer, made by the bishop or chief minister, which the Greeks called ἐπίκλησις, the invocation, and the Latins, *collecta*, the collect, because it was the recollection or recapitulation of the preceding prayers of the people. As the former prayer was said by the deacon and people kneeling, so this was presented by the bishop standing. And therefore the deacon was used to say immediately after the former prayer, ἐγειρώμεθα, "Let us rise up, and praying earnestly, let us recommend ourselves and one another to the living God by his Christ." After which, the bishop makes this prayer, as the form runs in the Constitutions.[21]

"O Lord Almighty and most High, thou that dwellest in the highest, thou Holy One that restest in thy saints, (or holy places,) that art without original, the great Monarch of the world; who by thy Christ hast caused thy knowledge to be preached unto us, to the acknowledgment of thy glory and name, which he hath manifested to our understandings: look down now by him upon this thy flock, and deliver it from all ignorance and wicked works. Grant that it may fear thee, and love thee, and tremble before the face of thy glory. Be merciful and propitious unto them, and hearken to their prayers; and keep them unchangeable, unblamable, and without rebuke: that they may be holy both in body and soul, not having spot or wrinkle or any such thing; but that they may be perfect, and none among them deficient or wanting in any respect. O thou their Defender, thou Almighty, that regardest not persons, be thou the help of this thy people, whom thou hast redeemed with the precious blood of thy Christ. Be thou their defence and succour, their refuge and keeper, their impregnable wall, their bulwark and safety. For no one can pluck them out of thy hand. There is no other God like thee: in thee is our hope and strong consolation. Sanctify them by thy truth; for thy word is truth. Thou that dost nothing out of partiality and favour, thou that canst not be deceived, deliver them from sickness and infirmity, from sin, from all injury and fraud, and from the fear of the enemy, from the arrow that flieth by day, and the danger that walketh in darkness; and vouchsafe to bring them to eternal life, which is in Christ thy only begotten Son, our God and Saviour; by whom be glory and worship unto thee in the Holy Ghost, now and for ever, world without end. Amen."

This, I conceive, is of the same nature with that prayer mentioned by the council of Laodicea,[22] as the second of those that are said to be made διὰ προσφωνήσεως: for though the author of the Constitutions distinguishes between the deacon's bidding prayer and the bishop's invocation, calling the former προσφώνησις, and the latter ἐπίκλησις; yet they both agreed in several things to distinguish them from the silent prayer that went before. For, 1. They were both pronounced audibly by the minister, so as the whole congregation might join with them, either by making responses to every particular petition of the deacon's prayer, or by saying Amen at the conclusion of the bishop's prayer; whereas the silent prayers of the people were such as every man said privately by himself, and might be very different from one another, and sometimes were such as were not fit to be heard, because some men abused this opportunity to pray to God for revenge upon their enemies. 2. Both these prayers were made at the call or admonition of the deacon, and so might have the name of προσφώνησις. For he said before the one, "Let us fall down upon our knees and pray to God:" and before the other, "Let us rise and commend ourselves to God," Παραθώμεθα ἑαυτοὺς τῷ Θεῷ. Whence also this, and all such prayers of the bishop, had the name of παραθέσεις, commendations, because they recommended the people to the mercy and protection of

[20] Cæsar. Arelat. Hom. 34. Rogo vos et admoneo, fratres charissimi, ut quotiescunque juxta altare a clericis oratur, aut oratio diacono clamante indicitur, non solum corda, sed etiam corpora inclinetis. Nam dum frequenter, sicut oportet, et diligenter attendo, diacono clamante, Flectamus genua, maximam partem populi velut columnas erectas stare conspicio, quod Christianis omnino nec licet nec expedit.

[21] Constit. Apost. lib. 8. cap. 11.

[22] Conc. Laod. can. 19.

God. As we find in one of the canons of the African Code,[23] which made an injunction that no prayers should be used in the church but such as were authorized by a synod, whether they were prefaces, or commendations, or impositions of hands, lest any prayers contrary to the faith should surreptitiously creep into the church. Where, as by prefaces are meant certain proper prayers used at the eucharist; and by impositions of hands, prayers made over the penitents or people by way of benediction; so by commendations are to be understood partly prayers for the catechumens, and partly these prayers of the bishop for the people, recommending their persons, and prayers, and concerns to the favour of God. This canon was first made in the council of Milevis, where what the Greeks call παραθέσεις, is by the Latins[24] called *commendationes*. But the more usual name in the Latin church was *collectæ*, collects, because these prayers of the bishop, which in any part of the service followed the joint prayers of the deacon and congregation, were both a recollection and recommendation of the prayers of the people. In this sense Cassian takes the phrase, *colligere orationem*, when, speaking of the service in the Egyptian monasteries and Eastern churches, he says, After the psalms they had private prayers, which they said partly standing and partly kneeling; which being ended, he that collected the prayer[25] rose up, and then they all rose up together with him; none presuming to continue longer upon the ground, lest he should seem rather to pursue his own prayers, than go along with him who collected the prayers, or closed up all with his concluding collect. Where we may observe, that a collect is taken for the chief minister's prayer at the close of some part of Divine service, collecting and concluding the people's preceding devotions. As here in Cassian, it is the close of the ordinary or daily morning service, which was the same as the close of that part of the communion service, which immediately comes before the consecration, as has been showed before, in speaking of the daily morning service, more fully in another place, Book XIII. chap. 10.

Parallel to this passage in Cassian, is that of Uranius,[26] where, speaking of one John, bishop of Naples, who died in the celebration of Divine service, he says, He gave the signal to the people to pray, and then, having summed up their prayers in a collect, he yielded up the ghost. The council of Agde,[27] in France, made it a standing rule for the Gallican churches, that, after all other things were performed in the daily course of morning and evening service, the bishop should conclude the whole office, *collecta oratione*, with his collect, and dismiss the people with his benediction. From which it appears, that these collects among the Latins were the same sort of prayers which the Greeks called ἐπικλήσεις and παραθέσεις, invocations and commendations, with which the bishop concluded the prayers of the deacon and people in each distinct part of Divine service. As we have seen it in the service of the catechumens and penitents, and in the offices for the daily morning and evening prayer, and here now in this part of the communion service which goes before the consecration. Of which I have nothing more to add, but only a short passage[28] of St. Austin, who, in his book of the Gift of Perseverance, seems plainly to intimate, that it was one petition in this prayer, of common use in the African churches, to pray for God's grace to enable believers to persevere to the end of their lives. For, writing of the necessity of grace to guard men against the error of the Pelagians, he puts them in mind of the common prayer of the church, wherein the priest makes invocation for the faithful or communicants, in these words, "Grant them grace, O Lord, to persevere in thee unto the end." And who is there, says he, that, hearing the priest thus praying, dares either in word or thought reprehend him, and is not rather ready, both with a believing heart and a confessing mouth, to answer Amen to such a benediction? It is observable here, 1. That this prayer has the same name which the Greeks gave it in the Eastern church, The invocation of the bishop or priest over the faithful. And therefore, 2. That it was a part of the communion service, where such prayers were only made. 3. That it was not the deacon's bidding prayer, which had the people's responses to every particular petition, but a prayer to which, in the end, they only answered, Amen. 4. That it was a direct invocation of God, by way of benediction, such as the bishop used to make, and not an exhortation to pray, which was the office of the deacon. 5. That the petition in substance is the same with that of the bishop's

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[23] Cod. Afric. can. 103. Ἤρεσε καὶ τοῦτο, ὥστε τὰς κεκυρωμένας ἐν τῇ συνόδῳ ἱκεσίας, εἴτε προοίμια, εἴτε παραθέσεις, εἴτε τῆς χειρὸς ἐπιθέσεις, ἀπὸ πάντων ἐπιτελεῖσθαι, κ.τ.λ. Vid. Conc. Toletan. 4. can. 12.

[24] Conc. Milevitan. can. 12.

[25] Cassian. Institut. lib. 2. cap. 7. Cum autem is qui orationem collecturus est, e terra surrexerit, omnes pariter surgunt, ita ut nullus remorari præsumat, ne non tam secutus fuisse illius conclusionem, qui precem colligit, quam suam celebrasse credatur.

[26] Uran. Vit. Paulin. Populo orationem dedit, et collecta oratione spiritum exhalavit.

[27] Conc. Agathen. can. 30. In conclusione matutinarum vel vespertinarum missarum, post hymnos capitella de psalmis dici, et plebem, collecta oratione ad vesperam ab episcopo cum benedictione dimitti.

[28] Aug. de Dono Perseverantiæ, cap. 23. t. 6. An quis sacerdotem super fideles Dominum invocantem, si quando dixit, Da illis, Domine, in te perseverare usque in finem, non solum voce ausus est, sed saltem cogitatione reprehendere, ac non potius super ejus talem benedictionem et corde credente et ore confitente respondit, Amen.

prayer in the Constitutions, "Keep them unchangeable, unblamable, and without rebuke; that they may be perfect, both in body and soul, not having spot or wrinkle, or any such thing, but that they may be perfect, and none among them be found wanting in any respect." All which circumstances make it highly probable, that this prayer referred to by St. Austin, was the very prayer we are speaking of, as used in the close of the first part of the communion service, in the African churches. These are the footsteps, by which we are to trace the practice of the ancient church in that part of her devotions, which was appropriated to the communicants or believers only, in the entrance of the communion service, and which answers to the prayer for the whole state of Christ's church militant here upon earth, in the beginning of our communion service.

CHAPTER II.

OF THE OBLATIONS OF THE PEOPLE, AND OTHER THINGS INTRODUCTORY TO THE CONSECRATION OF THE EUCHARIST.

Sect. 1. Of the customary oblations which the people made at the altar.

The next part of this service, was the great thanksgiving and the consecration of the elements of bread and wine for the eucharist; which because they were generally taken out of the oblations which the people made at the altar, it will be necessary to give some account of these oblations, and of the elements of bread and wine taken out of them. It was an ancient custom, derived from apostolical practice, for all communicants, that were of ability, to make their oblations of bread and wine, and sometimes other things, at the altar; out of which both the elements were taken, and a common feast was made for the poor. This the apostle plainly refers to in that reproof which he gives the Corinthians for their excess: 1 Cor. xi. 21, "In eating every one taketh before others his own supper, and one is hungry, and another is drunken." Justin Martyr[1] takes notice of these oblations, saying, They that are wealthy, and they that are willing, give according as they are disposed; and what is collected, is deposited with the bishop, who out of it relieves the orphans and widows, and those that are in sickness, or in want, or in bonds, and strangers and travellers: in a word, he is the curator of all that are in need. Tertullian gives the like account of this practice[2] in his time, only he distinguishes between the weekly and the monthly collection. Every one, says he, offers a small alms monthly, or when he will, and as he will, and as he can; for no one is compelled, but makes a voluntary collation. This is our bank for piety. For it is not expended in feasting and drinking, and abusive excesses, but in feeding and burying the poor, in providing for orphans that are bereft of their parents, and aged people, and such as suffer shipwreck, or languish in the mines, or in banishment, or in prison. Only one part of it, he adds, was spent upon a sober feast of charity, where the poor had a right to feed as well as the rich. St. Cyprian[3] also speaks of this, when he asks a rich woman, How she could think she celebrated the Lord's supper, who had no respect to the corban; or how she could come into the Lord's house without a sacrifice, and eat part of the sacrifice which the poor had offered? Parallel to which is that of St. Austin,[4] that a man of ability ought to be ashamed to communicate of another man's oblation; and therefore he exhorts every one to bring their own oblations to be consecrated at the altar.

Sect. 2. What persons were allowed to make them, and what not.

There was a very near alliance and great affinity between these oblations and that of the eucharist; and therefore, as they had the same common name of oblation and sacrifice, so in many respects the same rules were observed about them. As, first, that none but actual communicants should have the privilege to offer them. For in those days it was a privilege to be allowed to make their oblations, and a sort of lesser excommunication to be debarred from it. They would not receive the oblations of persons that were at enmity or variance with their brethren,[5] neither at the altar nor into the treasury. And this, as Optatus tells us,[6] was grounded upon that rule of our Saviour, that no men's gifts should be offered at the altar, but those which were seasoned with peace and reconciliation with their brethren. "If thou bring thy gift to the altar, and there rememberest that thy brother hath ought against thee; leave there thy gift before the altar, and go, first be reconciled to thy brother, and then

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[1] Justin. Apol. 2. p. 98 et 99.

[2] Tertul. Apol. cap. 39. Modicam unusquisque stipem menstrua die, vel quum velit, et si modo velit, et si modo possit, apponit: nam nemo compellitur, sed sponte confert, &c.

[3] Cypr. de Opere et Eleemos. p. 203. Locuples et dives es, et Dominicum celebrare te credis, quæ corbonam omnino non respicis; quæ in Dominicum sine sacrificio venis; quæ partem de sacrificio, quod pauper obtulit, sumis?

[4] Aug. Ser. 215. de Tempore. Oblationes, quæ in altario consecrentur, offerte: erubescere debet homo idoneus, si de aliena oblatione communicaverit.

[5] Conc. Carthag. 4. can. 93. Oblationes dissidentium fratrum, neque in sacrario, neque in gazophylacio recipiantur

[6] Optat. lib. 6. p. 93. Altaria, in quibus fraternitatis munera non jussit Salvator poni, nisi quæ essent de pace condita.

come and offer thy gift," Matt. v. 23. For the same reason they refused the oblations of noted and known oppressors of the poor, as appears from another canon[7] of the council of Carthage. With which agrees the rule in the Constitutions, that[8] they should not receive the gifts of a thief or a harlot. Which is repeated again with an addition of many other such like criminals.[9] A bishop must know, whose gifts he ought to receive, and whose not. He shall not receive the gifts of fraudulent hucksters, κάπηλοι: "For an huckster shall not be free from sin," Ecclus. xxvi. 29. And Esaias speaks of these, when he upbraids Israel, saying, "Thy hucksters mix wine with water," (so the Septuagint reads it,) Isa. i. 22. Neither shall he receive the oblations of whoremongers: "For thou shalt not offer to the Lord the hire of a whore," Deut xxiii. 18. Nor the oblations of covetous and adulterers; for the sacrifices of such are abomination to the Lord. Nor the oblations of such as afflict the widow and oppress the fatherless by their power, and fill the prisons with innocent persons, and evil intreat their servants with stripes, famine, and hard bondage; and lay waste whole cities: all such are to be rejected, and their offerings are abominable. He shall also refuse all corrupters, and lawyers that plead for injustice, and makers of idols, and thieves, and unrighteous publicans, and those that use frauds in weight or measure; all soldiers that are false accusers, and not content with their wages, but oppress the poor; all murderers and hangmen, and unrighteous judges, drunkards, blasphemers, and abusers of themselves with mankind; all usurers; and, in a word, every wicked man, that lives in rebellion against the will of God. St. Chrysostom, particularly, inveighing against oppressors, who offered alms out of what they had violently taken from others, says elegantly,[10] That God will not have his altar covered with tears: Christ will not be fed with robbery; such sort of sustenance is most ungrateful to him: it is an affront to the Lord, to offer unclean things to him: he had rather be neglected and perish by famine (in his poor members) than live by such oblations. The one indeed is cruelty, but the other is both cruelty and an affront. It is better to give nothing, than to give that which is the property of others. What the author of the Constitutions observes of idol-makers, is confirmed by Tertullian,[11] who wrote his whole book of Idolatry in a manner against them, where, among many other things, he says, they that followed that trade, were not to be admitted into the house of God. And it is very remarkable what St. Ambrose told Valentinian, when he was about to restore the heathen altars at the intercession of Symmachus, that if he so far contributed toward the re-settlement of idolatry, the church would no longer receive his oblations: What will you answer, says he, to the priest,[12] when he shall say unto you, The church requires not your gifts, because you have adorned the temples of the heathen with your gifts. The altar of Christ refuses your oblations, because you have erected an altar to the idol-gods. By which it is plain, they rejected the oblations not only of professed idolaters, but all such as were abettors of them, or any ways instrumental in giving aid or encouragement to idolatrous practices. Again, it was a standing rule among them, not to admit the oblations of those, who, having a right to communicate, would not stay to participate of the communion. This is expressly ordered by the council of Eliberis:[13] and the rule extended further to all those that for any crime or heresy were excluded from communion by the discipline of the church, or were not in full communion with her. Such as all excommunicate persons, all catechumens, penitents, energumens, and strangers that travelled without commendatory letters, and such of the clergy as for some lesser offences were reduced to the communion of strangers. For, as Albaspinæus notes rightly upon that canon, all these were in some measure non-communicants, as not being in the perfect and full communion of the church. The energumens are particularly specified[14] in the next canon of that council, as persons whose oblations should not be received, nor their names mentioned at the altar, whilst they were actually under the agitation of an evil spirit. And all penitents, whilst they were under discipline, were in the same class; only they had this privilege, that if they chanced to die suddenly whilst they were doing penance, and were desirous to be reconciled, by some canons[15] their oblations were allowed to be received after death, as a testimony of their reconciliation and admission into the communion of the church again: except they were of that sort of penitents, to whom the church thought fit in the severity of her discipline to deny all external communion at the hour of death; of which there are many instances

[7] Conc. Carth. 4. can. 94. Eorum qui pauperes opprimunt, dona a sacerdotibus refutanda.

[8] Constit. lib. 3. cap. 8. [9] Id. lib. 4. cap. 6.

[10] Chrys. Hom. 86. al. 87. in Mat. p. 722. Vid. Hom. 72. in Joan. p. 466. Et Epiphan. Exposit. Fidei, n. 23.

[11] Tertul. de Idololat. cap. 5. Respondebimus ad excusationes hujusmodi artificum, quos nunquam in domum Dei admitti oportet, si quis eam disciplinam norit.

[12] Ambros. Ep. 30. ad Valent. Quid respondebis sacerdoti dicenti tibi: Munera tua non quærit ecclesia, quia templa gentilium muneribus ornasti. Ara Christi dona tua respuit, quia aram simulacris fecisti.

[13] Conc. Eliber. can. 28. Episcopos, placuit, ab eo qui non communicat, munera accipere non debere.

[14] Ibid. can. 29. Energumenus, qui erratico spiritu exagitatur, hujus nomen neque ad altare cum oblatione recitandum, neque permittendum ut sua manu in ecclesia ministret.

[15] Conc. Arelatense 2. can. 12. Vasense 1. can. 2. Tolet. 11. can. 12.

in the councils of Sardica, Eliberis, and others; for then their oblations were not received either living or dying: or else when they had been so careless as not to desire reconciliation at the hour of death; in which case, as Pope Leo says,[16] their cause was reserved to the judgment of God, in whose hand it was that their life was not prolonged till they could have the remedy of communion. As to the church, she did not communicate with those after death, with whom she did not communicate when they were alive. Nay, sometimes they would not receive the oblations of those that died in their communion, if their last act happened to have any thing irregular in it. As appears from a case in Cyprian,[17] who tells us, That it had been determined by an African synod, that no one should appoint any of God's ministers a curator or guardian by his will, because they were to give themselves to supplications and prayer, and to attend only upon the sacrifice and service of the altar: and therefore when one Geminius Victor had made Geminius Faustinus, a presbyter of the church of Furni, guardian or trustee by his last will and testament, Cyprian wrote to the church of Furni, That they should make no oblation for him, or name him in the sacrifice of the altar. But in after ages this piece of discipline was a little moderated in France: for by a canon of the second council of Orleans it was ordered,[18] That if any one died in the communion of the church, his oblation should be received, though he happened to be slain in some fault, provided he had not laid violent hands upon himself. But this privilege was not allowed the catechumens that died without baptism, because they never were perfectly in the communion of the church. Therefore Chrysostom[19] says, no mention was ever made of them after death in the prayers of the church, as was usual for believers, in the oblation or sacrifice of the altar. The only thing that could be done for such, was to give private alms to the poor. If they had not the benefit of baptism, they were to be buried as persons who laid violent hands upon themselves, or fell by the arm of justice, without any solemnity[20] of burial, or commemoration at the altar. In short, the oblations of all persons who were not in actual or full communion with the church, were absolutely rejected: and therefore those penitents who had gone through all the stages of discipline, and were now allowed to stay, and hear the prayers with the rest of the faithful, were not yet allowed to make any oblations, as being not yet fully reconciled to the communion of the altar. Upon this account the ancient canons[21] style them *κοινωνοῦντας χωρὶς προσφορᾶς*, such as communicated in prayers only, without any oblation. But this was more precisely observed in the beginning of their censures. For if a great delinquent, a heretic or other excommunicate person, would have given his whole estate to the church, in such a case they would not accept his oblation. There goes an epistle under the name of St. Austin to Count Boniface,[22] wherein he tells him, he had forbidden all his clergy to accept the oblation of his house, and interdicted him all communion, till he had done penance for a certain bold attempt, and offered to God first the sacrifice of a humble and contrite heart for his error. The epistle probably is not St. Austin's, but it contains nothing disagreeable to the discipline of those times, when the greatest gift would not be accepted from an emperor, if he were a heretic, or under the censure of excommunication. As it is clear, not only from what has been observed before out of St. Ambrose's epistle to Valentinian, but from what Gregory Nazianzen[23] says of St. Basil, that he refused the oblations of the emperor Valens, because he was a professed enemy of the Divinity of Christ, and a furious defender of the Arian heresy. So Liberius refused the offering of Eusebius, the Arian statesman under Constantius, as we are told by Athanasius[24] and Theodoret,[25] who reports the story with all its circumstances in this manner: When Constantius drove Liberius into banishment, because he would not subscribe the condemnation of Athanasius with the Nicene faith, he sent him five hundred shillings (*ὁλοκοτίνους*) to bear his charges. But Liberius bid the messenger, that brought them, return them to the emperor, for his soldiers had more need of them. The empress also sent him the same sum, which he returned to the emperor with a like answer, that he might keep them for his own ex-

[16] Leo, Ep. 92. ad Rusticum, cap. 6. Horum causa Dei judicio reservanda est, in cujus manu fuit, ut talium obitus non usque ad communionis remedium differretur. Nos autem, quibus viventibus non communicavimus, mortuis communicare non possumus.

[17] Cypr. Ep. 66. al. 1. ad Cler. Furnitan. p. 3. Ideo Victor cum contra formam nuper in concilio a sacerdotibus datam, Geminium Faustinum presbyterum ausus sit tutorem constituere, non est quod pro dormitione ejus apud vos fiat oblatio, aut deprecatio aliqua nomine ejus in ecclesia frequentetur.

[18] Conc. Aurelian. 2. can. 14. Oblationem defunctorum, qui in aliquo crimine fuerint interempti, recipi debere censemus, si tamen non ipsi sibi mortem probentur propriis manibus intulisse.

[19] Chrys. Hom. 3. in Philip. p. 1225. Vid. Hom. 1. in Act. et Hom. 24. in Joan.

[20] Conc. Bracar. 1. can. 35. Catechumenis sine redemptione baptismi defunctis, simili modo, non oblationis sanctæ commemoratio, neque psallendi impendatur officium.

[21] Conc. Nicen. can. 11. Conc. Ancyr. can. 4, 5, 8, &c.

[22] Aug. Ep. 6. ad Bonifac. in Appendice, t. 2. Oblatio domus tuæ a clericis ne suscipiatur, indixi, communionem que tibi interdico, donec—pro hoc facto corde contrito et humiliato dignum offeras sacrificium Deo.

[23] Naz. Orat. 20. de Laud. Basil. p. 351.

[24] Athan. Ep. ad Solitarios, p. 834.

[25] Theod. lib. 2. cap. 16.

peditions. Last of all, when he had refused both the former, Eusebius the eunuch was sent to make him another offer. To whom Liberius replied, Thou hast harassed and laid waste the churches over all the world, and dost thou now offer me an alms as a condemned criminal? But go thou first, and learn to become a Christian. It is no less remarkable what Tertullian tells us of the church's treatment of Marcion the heretic, when he was excommunicated with Valentinus for his heresy: They cast him out, with his two hundred[26] *sestertia*, which he had brought into the church. They were so far from receiving the gifts of such men, that they rejected them with scorn, as St. Peter did Simon Magus, "Thy money perish with thee:" or as Abraham rejected the gifts of the king of Sodom, saying, "I will not take from a thread even to a shoe-latchet, I will not take any thing that is thine, lest thou shouldest say, I have made Abraham rich."

Sect. 3. What oblations might be received at the altar, and what not.

And as they thus made a distinction in the persons, of whom they received, so, secondly, they made a distinction in the oblations themselves, which were to be received. For the most ancient custom was, only to offer such things at the altar as were proper for the service of the altar. To this purpose there are several canons among those called the Apostolical Canons. One says,[27] No bishop or presbyter, under pain of deposition, shall offer any thing in the sacrifice on the altar contrary to the Lord's command, as honey, milk, or strong beer, instead of wine, or birds, or living creatures, excepting only the first-fruits of corn and grapes in their proper season. Another forbids any thing to be brought to the altar[28] besides oil to the lamps, and incense in the time of the oblation. And a third[29] orders all other first-fruits to be carried home to the bishop and presbyters, to be divided between them, and the deacons, and the rest of the clergy. Some of the African canons are to the same purpose. The third council of Carthage orders,[30] That in the sacraments of the body and blood of the Lord nothing else be offered but what the Lord commanded, that is, bread and wine mingled with water. Nor in the oblation of first-fruits any thing more be offered but only grapes and corn. The collections of African canons,[31] both Greek and Latin, give us this canon a little more at large in these words: Nothing shall be offered in the sacraments of the body and blood of the Lord, but what the Lord himself commanded, that is, bread and wine mingled with water. But the first-fruits, and honey and milk, which is offered on one most solemn day for the mystery of infants, though they be offered at the altar, shall have their own peculiar benediction, that they may be distinguished from the sacrament of the body and blood of the Lord. Neither shall any first-fruits be offered, but only of grapes and corn. Here we see, milk and honey was only to be offered on one solemn day, that is, on the great sabbath, or Saturday before Easter, which was the most solemn time of baptism; and that for the mystery of infants, that is, persons newly baptized, who were commonly called infants, in a mystical sense, from their new birth, in the African church; for it was usual to give them a taste of honey and milk immediately after baptism, as has been showed in a former Book,[32] and upon that account an oblation of honey and milk is here allowed to be made for this mystery of infants, which was to be offered and consecrated with a peculiar benediction, that it might not be thought to come in the room of the eucharist. And no other first-fruits are allowed to be offered at the altar but only grapes and corn, as being the materials of bread and wine, out of which the eucharist was taken. In the time of the council of Trullo, the offering of milk and honey at the altar was universally[33] forbidden. But the oblation of the first-fruits of grapes was still allowed; only, whereas a corrupt custom prevailed in some places, to join them in the same sacrifice with the eucharist, and distribute them together with it to the people, the rule of the African Code is revived, and orders given,[34] That they shall have a distinct consecration, and a distinct distribution, if the people were desirous to eat their first-fruits in the church. In the meam time we may observe, that in other churches not only the first-fruits of grapes and corn, but all other things which the people were voluntarily disposed to offer, whether money or the like gifts, were received at the altar. For in France, the first council of Orleans made it a rule,[35] that of

[26] Tertul. de Præscript. cap. 30. Marcion et Valentinus semel et iterum ejecti: Marcion quidem cum ducentis sestertiis, quæ ecclesiæ intulerat.

[27] Canon. Apost. can. 3.

[28] Can. 4.

[29] Can. 5. Vid. Conc. Eliber. in can. 49.

[30] Conc. Carth. 3. can. 24. Ut in sacramentis corporis et sanguinis Domini nihil amplius offeratur, quam ipse Dominus tradidit, hoc est, panis et vinum aqua mixtum. Nec amplius in sacrificiis (al. in primitiis) offeratur, quam de uvis et frumentis.

[31] Conc. African. can. 4. ap. Crab. t. 1. p. 503. Ut in sacramentis corporis et sanguinis Domini nihil amplius offeratur, quam quod ipse Dominus tradidit, hoc est, panis et vinum aqua mixtum. Primitiæ vero, seu mel et lac, quod uno die solennissimo in infantum mysterio solet offerri, quamvis in altari offerantur, suam tamen propriam habeant benedictionem, ut a sacramento Dominici corporis et sanguinis distinguantur. Nec amplius in primitiis offeratur, quam de uvis et frumentis. Vid. Cod. Eccles. Afric. can 37. ap. Justellum.

[32] Book XII. chap. 4. sect. 6.

[33] Conc. Trull. can. 57.

[34] Ibid. can. 28.

[35] Conc. Aurelian. 1. can. 16. Antiquos canones relegentes, priora statuta credimus renovanda, ut de his quæ in altario oblatione fidelium conferuntur, medietatem sibi episcopus vindicet, &c. Vid. ibid. can. 17.

such oblations one moiety should fall to the bishop, and the other be divided among the rest of the clergy. But it is severely censured by Strabo,[36] as a gross piece of superstition in the Roman church, that they were used to offer and consecrate a lamb, and eat the consecrated flesh of it, out of a pretended reverence to the immaculate Lamb of God, which was slain for the sins of the world. Photius carries the charge a little higher, and objects to them, that they offered it together with the body of Christ upon the altar. But this is commonly[37] said to be an aggravation of the thing, and therefore is rejected by Cardinal Bona as a slander. But he owns the fact so far as it is related by Strabo, because the old *Ordo Romanus* has such a form for the consecration of a lamb on Easter day, and it is agreeable to their present practice. Only he blames Strabo for being too zealous in his censure of this rite, and inveighing against it as a superstitious and erroneous practice. Which only shows, how much Bona was inclined to defend the superstitions that were crept into his church, without any foundation in ancient practice.

Sect. 4. The names of such as made oblations of any considerable value, rehearsed at the altar.

But I proceed with the practice of the ancient church, and observe, thirdly, that when their oblations were received, it was usual in many places to rehearse the names of such as offered, that a commemoration of them might be made, and prayers and praises be offered to God for them at the altar. I have already had occasion to say something of this custom[38] out of St. Cyprian[39] and St. Jerom,[40] in speaking of deacons, whose office it was to recite the names. To these I shall now add some further evidences, both out of these and other writers. Cyprian, in one of his epistles to the churches of Numidia, speaking of a collection that had been made at Carthage for them,[41] says, he had sent them the names of every brother and sister, that had contributed willingly to so necessary a work, (it was to redeem captives,) that they might remember them in their prayers, and requite their good work in their sacrifices and solemn supplications; he had also added the names of such of his fellow bishops as were then present, and had contributed both in their own names, and the names of their respective churches; and he had signified the sums that every one gave, that, as the common faith and charity required, mention might be made of them in their supplications and prayers. St. Jerom says[42] the same in another place, That now the names of such as offered were publicly rehearsed, and that which was the redemption of sins, was made matter of praise and glory: and men did not remember the widow in the Gospel, whose two mites cast into the treasury, exceeded all the gifts of the rich, who cast in of their abundance. Some think[43] St. Jerom here reflects upon the practice of the church, as if he disliked the mentioning of the sums offered, which they say, without doubt, was a corruption. But they mistake St. Jerom's meaning: for he is not blaming the practice of the church, but the practice of those who gave out of ostentation and vain-glory; and when they were privately guilty of theft or oppression, thought to get esteem and reputation, by giving a little of their ill-gotten goods to the poor; pleasing themselves with the applause of the people, whilst their own consciences must needs lash and torment them, as he expresses it in another[44] place. It was fit for them to remember the widow's mites, which were a more acceptable sacrifice to God than the greatest gifts of injustice that they could offer him. So he does not condemn the custom of rehearsing the names of the donors as a corruption, but only the private abuses that by the viciousness of men did sometimes accompany it. St. Chrysostom,[45] and the author of the Constitutions,[46] have some reference to the same custom: the latter orders the bishop to acquaint the poor who were their benefactors, that they might pray for them by name. And Cotelerius observes[47] a like passage in the acts of Cecilian and Felix, where the form runs thus: Such a one gives so much of his substance to the poor; for which those acts appeal to the people's own eyes and ears. When the oblations were thus presented, and the names of the donors rehearsed, then it was usual in some places to make a commendatory prayer, by way of oblation

[36] Strabo de Rebus Eccles. cap. 18. Dupin says also, that there is an example of this usage in the Life of St. Uldarick, and that both Ratramnus and Æneas Parisiensis wrote in defence of it against Photius, but he says, it was not authorized in all the Latin churches. Du Pin, Cent. 9. p. 113.

[37] Nicolai Papæ Epist. ap. Baron. t. 10. an. 867. Bona, Rer. Liturg. lib. 2. cap. 8. n. 5. Hoc putidum mendacium est, &c.

[38] Book II. chap. 20. sect. 5.

[39] Cypr. Ep. 10. al. 16. p. 37.

[40] Hieron. Com. in Ezek. xviii. p. 537.

[41] Cyprian. Ep. 60. al. 62. ad Episcopos Numidas, p. 147. Ut autem fratres nostros ac sorores, qui ad hoc opus tam necessarium prompte ac libenter operati sunt, ut semper operentur, in mentem habeatis in orationibus vestris, et eis vicem boni operis in sacrificiis et precibus repræsentetis, subdidi nomina singulorum, &c.

[42] Hieron. in Jerem. xi. lib. 2. p. 354. Nunc publice recitantur offerentium nomina, et redemptio peccatorum mutatur in laudem: nec meminerunt viduæ illius in Evangelio, quæ in gazophylacium duo æra mittendo, omnium divitum vicit donaria.

[43] Comber of Liturgies, p. 196.

[44] Hieron. in Ezek. xviii.

[45] Chrys. Hom. 18. in Act. p. 175.

[46] Constit. lib. 3. cap. 4.

[47] Gesta Purgationis Cæciliani et Felic. Vel audisti, vel vidisti, si dictum est pauperibus, Dat et vobis de re sua Lucilla.

to God, antecedent to those eucharistical prayers which were appropriated to the consecration of the eucharist. This may be collected from the epistle of Pope Innocent to Decentius,[48] a neighbouring bishop of Eugubium, where he speaks of such an oblation by a commendatory prayer going before the consecration: which, he says also, in the Roman church was used to be made before the recital of the names of the offerers, which were not rehearsed till they came to the consecration. But whether such a distinct oblation of the creatures was made in all churches, seems not so very clear, because other writers, Justin Martyr, Irenæus, and the Constitutions, say nothing of it.

Sect. 5. The eucharistical elements usually taken out of the people's oblations; and consequently no use of wafers or unleavened bread.

Fourthly, we are to observe upon this head, That so long as the people continued to make oblations of bread and wine, the elements for the use of the eucharist were usually taken out of them; and by consequence, so long the bread was that common leavened bread, which they used upon other occasions; and the use of wafers and unleavened bread was not known in the church till the eleventh or twelfth centuries, when the oblations of common bread began to be left off by the people. This will seem a great paradox to all who look no further than the schoolmen, and only read their disputes with the Greeks about leavened and unleavened bread, which are fierce enough on both sides, and have little of truth on either: as commonly such disputes evaporate into smoke, and end in bitter and false reproaches; the Greeks terming the Latins Azymites, for consecrating in *azymis*, that is, unleavened bread; and the Latins, on the other hand, charging the Greeks with deviating from the example of Christ, and the practice of the ancient church. I will not enter into the detail of the arguments on both sides, which belongs not to this place; but only acquaint the reader, that now the most wise and learned men in the Roman church, who have more exactly scanned and examined this matter, think fit to desert the schoolmen, and maintain, that the whole primitive church, and the Roman church herself for many ages, never consecrated the eucharist in any other but common and leavened bread. The first that ventured to break the ice, and confront the schoolmen, was Latinus Latinius, in an epistle to Antonius Augustinus. After him Sirmondus wrote a particular disquisition upon it, which was followed and commended by Cardinal Bona,[49] who has a long dissertation to establish the opinion, wherein he exposes the prejudices and false argumentations of Thomas Aquinas and the rest of the schoolmen. And though Christianus Lupus[50] set himself again with all his might to defend the common opinion of the schoolmen against Sirmondus; yet his arguments are of no weight with Schelstrate[51] and Pagi, who readily give in to the position of Bona and Sirmondus, as founded upon the justest reasons. The chief argument of the schoolmen is no ways conclusive, that the primitive church followed the example of Christ, who celebrated his last supper with unleavened bread. For that was only upon the account of the passover, when no other but unleavened bread could be used among them. After his resurrection he probably celebrated in leavened bread, and such as was in common use at all other times, except the time of the passover. And that the church always used common bread, appears from the following arguments: 1. That the elements were usually taken out of the oblations of the people, where, doubtless, common bread and wine were offered. 2. It is noted by Epiphanius,[52] as a peculiar rite of the Ebionite heretics, that they celebrated in unleavened bread and water only; which plainly argues, that the church did otherwise. 3. The ancients say expressly their bread was common bread, such as they made for their own use[53] upon other occasions. To which purpose there is a remarkable story in the Life of Gregory the Great,[54] of a woman, who, when he gave her the eucharist in the usual form of words, "The body of our Lord Jesus Christ preserve thy soul," laughed at the form; and being asked the reason of her so doing, said it was because he called that the body of Christ, which she knew to be bread that she had made with her own hands. 4. The ancients are wholly silent as to the use of unleavened bread in the church. But they many times speak of leavened bread, and sometimes the eucharist is called *fermentum*, leaven, upon that account. As appears from the Pontifical in the Lives[55] of Melchiades and Siricius, and a letter of

[48] Innoc. Ep. 1. ad Decentium, cap. 2. De nominibus vero recitandis, antequam preces sacerdos faciat, atque eorum oblationes, quorum nomina recitanda sunt, sua oratione commendet, quam superfluum sit, et ipse per tuam prudentiam recognoscis, ut cujus hostiam necdum Deo offeras, ejus ante nomen insinues, quamvis illi incognitum sit nihil. Prius ergo oblationes sunt commendandæ, ac tunc eorum nomina, quorum sunt oblationes, edicenda, ut inter sacra mysteria nominentur, non inter alia, quæ ante præmittimus, ut ipsis mysteriis viam futuris precibus aperiamus.

[49] Bona, Rer. Liturg. lib. 1. cap. 23.

[50] Lupus, Not. in Concil. t. 3. p. 686, &c.

[51] Pagi, Critic. in Baron. an. 313. n. 15. et Schelstrate, Disciplina Arcani, cap. 7. par. 5. ap. Pagi, ibidem.

[52] Epiphan. Hær. 30. Ebionit. n. 16.

[53] Ambros. de Sacram. lib. 4. cap. 4. Tu forte dicis, Meus panis est usitatus, &c.

[54] Greg. Vita, lib. 2. cap. 41.

[55] Pontifical. Vit. Melchiadis. Hic fecit ut oblationes consecratæ per ecclesias ex consecratu episcopi dirigentur, quod declaratur fermentum. Id. Vit. Siricii. Hic constituit, ut nullus presbyter missas celebraret per omnem hebdomadam, nisi consecratum episcopi loci designati sus-

Pope Innocent, where he says, it was the custom at Rome to consecrate the *fermentum*, that is, the eucharist, in the mother-church, and send it thence on the Lord's day to the presbyters in the *tituli*, or lesser churches, that they might not think themselves separated from the bishop's communion. But they did not send it to any country parishes, because the sacraments were not to be carried to places at any great distance. What is here called the consecrated *fermentum*, is, by Baronius and others, who tread in the track of the schoolmen, interpreted of the *eulogia*, or *panis benedictus*, the bread that was blessed for such as did not communicate. But Innocent plainly says, he meant it of the sacrament, which was consecrated by the bishop, and sent to the presbyters for the use of lesser churches. Which shows, that at that time, even in Rome itself, the eucharist was consecrated in common or leavened bread. 5. It is observable, that neither Photius, nor any other Greek writer, before Michael Cerularius, anno 1051, ever objected the use of unleavened bread to the Roman church: which argues, that the use of it did not prevail till about that time; else there is no doubt but Photius would, among other things, have objected this to them. These arguments put the matter beyond all dispute, that the church for a thousand years used no other but common or leavened bread in the eucharist; and how the change was made, or the time exactly when, is not easy to determine. But Bona's conjecture is very probable, That it crept in upon the people's leaving off to make their oblations in common bread, which occasioned the clergy to provide it themselves, and they, under pretence of decency and respect, brought it from leaven to unleaven, and from a loaf of common bread, that might be broken, to a nice and delicate wafer, formed in the figure of a *denarius*, or penny, to represent the pence (as some authors[56] about that time will have it) for which our Saviour was betrayed; and then also the people, instead of offering a loaf of bread, as formerly, were ordered to offer a penny, which was either to be given to the poor, or to be expended upon something appertaining to the sacrifice of the altar. This is the short history of a great change made insensibly in a matter of small moment, if we consider barely the question about the use of leavened and unleavened bread; for it is very indifferent in itself, whether is used, so long as peace is preserved in the church: but in the consequences and progress of the dispute it was no small matter; for the East and West divided about it, and the Western church ran so far into an extreme, as almost to lose the nature of the sacramental element, by introducing a thing that could hardly be called bread, instead of that common staff of life which the Lord had appointed to be the representation of his body in the eucharist.

Sect. 6. The use of wafers instead of bread, condemned in their first original.

There wanted not some discerning and judicious men in a dark age, who complained of the abuse as soon as it began to be introduced. For Bernoldus, a learned presbyter of Constance, about the year 1089, wrote a book De Ordine Romano, wherein he thus reflects upon these wafer-hosts or oblations: If no less measure than a handful be found mentioned in all the Old and New Testament; and nothing ought to be done in the temple of the Lord without measure and reason; these minute oblations seem not to appertain to Christ or his church,[57] because they are without measure and reason. This author was a little too bold and free with the corruptions and abuses of the Roman church, ever to see the light. But Trithemius mentions the book,[58] and gives an honourable character of the author. And Cassander saw it in manuscript, and published this fragment of it in his Liturgics;[59] where he also makes a severe reflection upon the corruption and vanity of that age, for departing from the ancient practice, and introducing an imaginary sort of bread, which deserved more the name of the shadow than the substance. Which just reflection is repeated from Cassander, not only by Vossius,[60] but ingenuously also by Cardinal Bona,[61] in his animadversions upon this unwarrantable alteration. Yet some there are who pretend antiquity for this also. Durantus[62] thought he had found this wafer-bread in Epiphanius, because he says, the bread was ἄρτος στρογγυλοειδὴς καὶ ἀναίσθητος,[63] which they render, bread of a circular figure, and so minute that it could hardly be perceived by the senses. Whereas it should be rendered, bread of a solid, round, globular figure, without life or sense, which yet might represent Him, who is all life, and infinite, and incomprehensible. Which agrees well to the character of the

ciperet declaratum, quod nominatur fermentum. Innoc. Ep. ad Decentium, cap. 5. Presbyteri fermentum a nobis confectum per acolythos accipiunt, ut se a nostra communione maxime illa die non judicent separatos. Quod per parochias fieri debere non puto, quia non longe portanda sunt sacramenta, &c.

56 Honorius, Gemma Animæ, lib. 1. cap. 66. ap. Bonam. Quia populo non communicante non erat necesse panem tam magnum fieri, statutum est eum in modum denarii formari vel fieri; et ut populus pro oblatione farinæ denarios offerret, pro quibus traditum Dominum recognoscerent, &c.

57 Bernoldus de Ordine Romano, ap. Cassandrum in Liturgicis, cap. 27. Si minor mensura quam pugillus non invenitur in toto serie Veteris et Novi Testamenti; et si nihil omnino debet fieri intra vel extra templum Domini absque mensura et ratione; videntur oblatarum minutiæ ad Christum et ad ecclesiam nihil pertinere, quia sunt absque mensura et ratione.

58 Trithem. de Scriptor. Eccles. fol. 66.

59 Cassander. Liturgic. x. cap. 27.

60 Voss. Thes. Theol. de Symbolis Cœnæ Domin. p. 441.

61 Bona, Rer. Liturg. lib. 1. cap. 23. n. 11.

62 Durant. de Ritibus, lib. 2. cap. 38. n. 6.

63 Epiphan. Anchorat. n. 57.

eucharistical bread used in Epiphanius's time, when it was the custom to offer round and whole solid loaves of bread, but has no relation to the wafer-bread of later ages. Durantus urges further the testimony of Gregory the Great,[64] who calls the oblations, *oblationum coronas*, crowns of bread; which may imply, that they were round loaves of bread; but not therefore wafers, unless every thing that is round be a wafer. He adds St. Chrysostom also, but he misquotes him; for the Greek[65] has nothing of what is cited. But he might have added truly Cæsarius, Gregory Nazianzen's brother,[66] who, comparing the natural and the sacramental body of Christ together, says, the one was distinguished into several members, but the other was round. And Iso the monk,[67] who calls the oblations, *rotulas panis*, rolls of bread, no doubt from the roundness of their figure: and the sixteenth council of Toledo,[68] which speaks of their rotundity also. But, as Cardinal Bona rightly observes, this rotundity implies round loaves of bread, and not round wafers; of which there was no use or knowledge in former ages, when they used such loaves of common bread as the people offered, or else such as were prepared particularly for the purpose; yet still loaves of bread, not wafers; and common or leavened bread, not unleavened, of which there is not the least intimation given in any part of the church for above a thousand years, as that learned cardinal has proved beyond all exception, to whose diligence we chiefly owe the illustration of this matter in that curious dissertation of his upon the subject.

Sect. 7. Wine mixed with water commonly used in the ancient church.

The other part of the sacrament was always wine, and that taken also out of the oblations of the people. Some of the ancient heretics, under pretence of abstinence and temperance, changed this element into water, and consecrated in water only. These were some of them disciples of Ebion, and some the followers of Tatian, commonly called *Hydroparastatæ* and *Aquarii*, from the use of water; and sometimes *Encratitæ*, from their abstaining wholly from flesh and wine. And this seems to have been the ground of their errors, that they thought it universally unlawful to eat flesh or drink wine. Under this character they are frequently condemned, by Epiphanius,[69] who terms them Encratites, and by St. Austin,[70] under the name of Aquarians, and by Theodoret,[71] who says they sprung from Tatian, and were called *Hydroparastatæ*, because they offered water instead of wine; and *Encratitæ*, because they wholly abstained from wine and living creatures. St. Chrysostom[72] calls it the pernicious heresy of those that used only water in their mysteries, whereas our Lord instituted them in wine, and drunk wine at his common table after his resurrection, to prevent the budding of this wicked heresy. The like may be read in Philastrius,[73] and long before in Irenæus and Clemens Alexandrinus, not to mention the council of Trullo[74] or any later writers. But it is to be observed, that beside these there were another sort of Aquarians, who did not reject the use of wine as simply unlawful, either in itself, or in the eucharist; for in their evening service they consecrated the eucharist in wine, but not in their morning assemblies, for fear the smell of the wine should discover them to the heathen. St. Cyprian gives a long account of these in one of his epistles,[75] which is particularly designed against them. From which it also appears, that the custom of the church then was to use wine mixed with water, and he pleads for both as necessary from the command and example of Christ; adding some other reasons why it should be so, as that the water represents the people, as the wine[76] does the blood of Christ; and when in the cup the water is mingled with the wine, Christ and his people are united together. And so, he says, in sanctifying the cup of the Lord, water cannot be offered alone; as neither can the wine be offered alone: for if the wine be offered by itself, the blood of Christ begins to be without us; and if the water be alone, the people begin to be without Christ. The third council of Carthage seem to have had the same opinion of the necessity of water, when they determined, as we have heard before, that nothing should be offered at the altar[77] but what the Lord himself commanded, that is, bread, and wine mingled with water. And St. Austin was a member of that council, and therefore may be supposed to have been of the same judgment. He also quotes the foresaid epistle of Cyprian with approbation.[78] Gennadius[79] assigns two reasons for the use of mixing water with wine; first, because it is accord-

[64] Greg. Dialog. lib. 4. cap. 55.

[65] Chrys. Hom. 83. in Matt.

[66] Cæsar. Dialog. 3. Quæst. 169.

[67] Iso de Miraculis S. Othomari, cap. 3.

[68] Conc. Tolet. 16. can. 6.

[69] Epiph. Hær. 46. Encratit. Hær. 30. Ebionit. n. 16.

[70] Aug. de Hæres. cap. 64.

[71] Theod. de Fabulis Hæret. lib. 1. cap. 20.

[72] Chrys. Hom. 83. in Mat. p. 700.

[73] Philastr. de Hæres. cap. 77. Iren. lib. 5. cap. 1. Clem. Strom. 1. p. 375. Pædag. lib. 2. c. 2.

[74] Conc. Trull. can. 32. Vid. Cod. Theodosian. lib. 16. Tit. 5. de Hæreticis, Leg. 7. It. Theodosii Novel. 3. ad calcem, t. 6.

[75] Cypr. Ep. 63. ad Cæcilium.

[76] Ibid. p. 153. Videmus in aqua populum intelligi, in vino vero ostendi sanguinem Christi——Sic autem in sanctificando calice Domini, offerri aqua sola non potest, quomodo nec vinum solum potest: nam si vinum tantum quis offerat, sanguis Christi incipit esse sine nobis: si vero aqua sit sola, plebs incipit esse sine Christo.

[77] Conc. Carth. 3. can. 24.

[78] Aug. de Doctrina Christ. lib. 4. cap. 21.

[79] Gennad. de Eccles. Dogm. c. 75. In eucharistia non

ing to the example of Christ; and secondly, because when our Saviour's side was pierced with the spear, there came forth water and blood. This latter reason is also assigned by St. Ambrose, or whoever wrote the book De Sacramentis under his name;[80] and by Martin Bracarensis,[81] in his collection of Greek canons. The author of the epistle to the Egyptians under the name of Pope Julius,[82] insists upon Cyprian's reason, that it is to show the union of Christ with his people. And the third council of Braga relates Cyprian's words, correcting several other abuses that were crept into the administration of this sacrament;[83] as of some who offered milk instead of wine; and others who only dipped the bread into the wine, and so denied the people their complement of the sacrament; and others who used no other wine but what they pressed out of the clusters of grapes that were then presented at the Lord's table. All which they condemn, and order that nothing but bread and wine mingled with water should be offered, according to the determination of the ancient councils. The council of Auxerre notes some others who offer mead, or honey and water mixed together,[84] who are also condemned, as going against the common rule of offering nothing but wine and water in the sacrifice of the altar. The author of the Commentaries upon St. Mark under the name of St. Jerom,[85] gives another reason for mixing water with wine, that by the one we might be purged from sin, and by the other redeemed from punishment. These reasons indeed are no ways demonstrative; however, that the practice was both ancient and general, is evident from Justin Martyr,[86] and Irenæus,[87] who mention it as the custom of the church, without assigning any further reason for it. And so likewise Gregory Nyssen[88] and Theodoret,[89] with some others produced by Vossius in his dissertation[90] upon this subject. The Armenians are said to have consecrated only in wine, but that is reckoned an error in them by Theophylact,[91] and they are equally condemned with the *Hydroparastatæ* or Aquarians by the council of Trullo,[92] which produces the authority of St. James and St. Basil's liturgy against them. To which may be added the liturgies under the name of St. Mark and St. Chrysostom, and the Constitutions.[93] Yet, after all, as there is no express command for this in the institution, notwithstanding this general consent of the ancient church, it is commonly determined by modern divines, as well of the Roman as protestant communion, that it is not essential to the sacrament itself, as the reader that is curious may find demonstrated in Vossius,[94] in his dissertation upon this subject.

Sect. 8. Of some heretics who made alterations or additions to the elements in the eucharist.

As to the ancients, they are not to be blamed in keeping strictly to this custom, because they thought it a part of the institution. Upon which account they censured all that made any alteration in the elements, either by addition, or subtraction, or changing one element for another. The Aquarians, as we have heard, were condemned for taking away the wine; the Armenians and others, for not using water also; others were condemned for changing the wine into milk or honey mixed with water; others substituted grapes instead of wine; others, pulse instead of bread. Of all which, because we have spoken before in the two foregoing sections, I need say no more in this place. But beside these there was once a senseless sect, which thought they did not celebrate the eucharist in perfection, unless they offered cheese together with the bread. Whence they had the name of *Artotyritæ*, from ἄρτος, which in Greek signifies bread, and τυρὸς, cheese. This is the account which Epiphanius[95] gives of them, and after him St. Austin[96] saying, The Artotyrites are so called from their oblation: for they offer bread and cheese, saying, that the first oblations that were offered by men in the infancy of the world, were of the fruits of the earth and of sheep.

Sect. 9. And of others who rejected the use of the sacrament altogether.

There were others who wholly rejected the use of all external symbols or sacraments in general, and consequently both baptism and the eucharist, upon a pretence that faith and knowledge and

debet pura aqua offerri, ut quidam sobrietatis falluntur imagine, sed vinum aqua mixtum: quia et vinum fuit in redemptionis nostræ mysterio, cum dixit, Non bibam a modo de hoc genimine vitis, et aqua mixtum, quod post cœnam dabatur, sed et de latere ejus lancea perfosso aqua cum sanguine egressa, &c.

[80] Ambros. de Sacram. lib. 5. cap. 1.

[81] Martin. Bracar. Collect. Canonum, cap. 55.

[82] Julii Epist. ap. Gratian. de Consecrat. Dist. 2. cap. 7.

[83] Conc. Bracar. 3. can. 1. Audivimus quosdam schismatica ambitione detentos, lac pro vino in divinis sacrificiis dedicare; alios quoque intinctam eucharistiam populis pro complemento communionis porrigere; quosdam etiam expressum vinum in sacramento Dominici calicis offerre, &c. Ideo nulli deinceps licitum sit, aliud in sacrificiis divinis offerre, nisi juxta antiquorum sententiam conciliorum panem tantum, et calicem vino et aqua permixtum.

[84] Conc. Antissiodor. can. 8. Non licet in altario in sacrificio divino mellitum, quod mulsum appellatur, nec ullum aliud poculum, extra vinum cum aqua mixtum, offerre.

[85] Hieron. in Marc. xiv. Accepit Jesus panem, &c. formans sanguinem suum in calicem vino et aqua mixtum, ut alio purgemur a culpis, alio redimamur a pœnis.

[86] Justin. Apol. 2. p. 97.

[87] Iren. lib. 4. cap. 57. et lib. 5. cap. 2.

[88] Nyssen. Orat. Catechet. c. 37.

[89] Theod. Dialog. 1.

[90] Voss. Thes. Theol. p. 494.

[91] Theophyl. Com. in Joan. xix.

[92] Conc. Trull. can. 32.

[93] Constit. lib. 8. cap. 12.

[94] Voss. Thes. Theol. ibid.

[95] Epiphan. Hær. 49.

[96] Aug. de Hæres. cap. 48. Artotyritæ sunt, quibus oblatio eorum hoc nomen dedit: offerunt enim panem et caseum, dicentes, a primis hominibus oblationes de fructibus terræ et ovium fuisse celebratas.

spiritual worship were the only things that were required of Christians. Upon this pretence the *Ascodrutæ*, who were a sort of Gnostics, neither administered baptism nor the eucharist in their society: they said the Divine mysteries were incorporeal and invisible things, and therefore not to be represented by such corporeal and visible things as water or bread and wine; but perfect knowledge was their redemption. So Theodoret[97] describes them. And so both he and Epiphanius[98] describe another abominable sect, who, from one of their principal tenets, were called Archontics. They taught, that the world was not made by the supreme God, but by certain inferior powers, seven or eight in number, whom they called *archontes*, rulers of the several orbs of the heavens one above another, to the chief of which they gave the name of Sabaoth: and they pretended, that baptism and the eucharist were only institutions of this Sabaoth, the God of the Jews and giver of the law, and not the ordinances of the supreme God; for which reason they wholly rejected the use of them. Some other such sects there were among the ancient heresies, who despised the eucharist[99] upon the like pretences: but these are sufficient to show us what sort of men they were, that anciently contemned this holy ordinance; and therefore, without further digressing to make any nicer inquiry after them, I now return to the business and service of the church.

CHAPTER III.

OF THE OBLATION AND CONSECRATION PRAYERS.

Sect. 1. The form of thanksgiving and consecration prayers described out of the Constitutions.

As soon as the people's offerings were made, and bread and wine were set apart for the eucharist, they proceeded to the solemn consecration of them. The manner of which is described at large in the Constitutions; which I will first set down here, and then compare the several parts of it with the authentic accounts we have in other ancient writers. Immediately, then, after the first prayers for the faithful are ended, the deacon is ordered[1] to give a solemn admonition, saying, Πρόσχωμεν, Let us give attention. Then the bishop or priest salutes the church, saying, "The peace of God be with you all:" and the people answer, "And with thy spirit." After this, the deacon says to them all, Salute ye one another with a holy kiss. Then the clergy salute the bishop, and laymen their fellow laymen, and the women the women; the children standing before the *bema*, that is, either the reading-desk or the altar, with a deacon attending them, to see that they keep good order; others of the deacons walking about the church, and inspecting the men and women, that there be no tumult, nor making of signs to one another, nor whispering, nor sleeping; and others standing at the men's gate, and the subdeacons at the women's gate, that the doors be not opened for any to go in or out in the time of oblation. After this, the subdeacon brings water to the priests to wash their hands, as a sign of the purity of those souls that are consecrated unto God. Immediately after this[2] a deacon cries out, Let none of the catechumens be present, none of the hearers, none of the unbelievers, none of the heterodox party. Ye that have made the first prayer, go forth, προέλθετε (or rather, as Cotelerius thinks it ought to be read, προσέλθετε, Ye that have made the first prayers, draw near: for this seems to be spoken to the communicants, as an invitation). Ye mothers, take your children, and bring them with you. Let no one come with enmity against another; no one in hypocrisy. Let us stand upright before the Lord, with fear and trembling, to offer our sacrifice. This said, the deacons bring the τὰ δῶρα, the elements, to the bishop at the altar; the presbyters standing on each hand of him, and two deacons with their fans to drive away the little insects, that none of them fall into the cup. Then the bishop, standing at the altar with the presbyters, makes a private prayer by himself, having on his white or bright vestment, and signing himself with the sign of the cross in his forehead. Which done, he says, "The grace of Almighty God, and the love of our Lord Jesus Christ, and the fellowship of the Holy Ghost, be with you all." And the people answer with one voice, "And with thy spirit." Then the bishop says, "Lift up your hearts:" and they all answer, "We lift them up unto the Lord." The bishop says again, "Let us give thanks to the Lord:" and the people answer, "It is meet and right so to do." Then the bishop says, "It is very meet and right, above all things, to praise thee the true God, who art before all creatures, of whom the whole family in heaven and earth is named, who art the only Unbegotten, without original, without king, without lord, who hast need of nothing, who art the Author of all good, who art above all cause and generation, and always the same, of whom all things have their original and existence. For thou art original knowledge, eternal sight, hearing without beginning, and wisdom without teaching; the first in nature, and the law of existing, exceeding all number. Who madest

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[97] Theod. de Fabulis Hæret. lib. 1. cap. 10.

[98] Theod. ibid. cap. 11. Epiphan. Hær. 40. de Archonticis, n. 2.

[99] Vid. Orig. περὶ εὐχῆς. n. 13. Ea penitus auferentes quæ sensibus percipiuntur, nec baptismum nec eucharistiam usurpantes, &c.

[1] Constit. lib. 8. cap. 11.

[2] Ibid. cap. 12.

all things to exist out of nothing by thy only begotten Son, whom thou didst beget before all ages by thy will, and power, and goodness, without the intervention of any, who is thy only begotten Son, the Word that is God, the living Wisdom, the First-born of every creature, the Angel of thy great counsel, thy High Priest, but the King and Lord of all the creatures both visible and invisible, who is before all things, and by whom all things consist. For thou, O eternal God, didst create all things by him, and by him thou dost vouchsafe to rule and govern them in the orderly ways of thy providence. By whom thou didst give them being; by him also thou didst give them a well-being. O God and Father of thy only begotten Son, who by him didst create the cherubims and seraphims, the ages and hosts, the dominions and powers, the principalities and thrones, the archangels and angels, and after them didst by him create this visible world, and all things that are therein. For thou art he that hast established the heavens as an arch, and extended them like a curtain; that hast founded the earth upon nothing by thy sole will; that hast fixed the firmament, and formed night and day; that hast brought the light out of thy treasures, and superadded darkness for a covering, to give rest to the creatures that move in the world; that hast set the sun in the heaven to govern the day, and the moon to govern the night; and ordered the course of the stars, to the praise of thy magnificent power; that hast made the water for drink and purgation, and the vital air both for breathing and speaking; that hast made the fire to be a comfort in darkness, to supply our wants, and that we should be both warmed and enlightened thereby; that hast divided the great sea from the earth, and made the one navigable, and the other passable on foot; that hast filled the one with small and great animals, and the other with tame and wild beasts; that hast crowned the earth with plants and herbs of all sorts, and adorned it with flowers, and enriched it with seeds; that hast established the deep, and set a great barrier about it, walling the great heaps of salt water, and bounding them with gates of the smallest sand; that sometimes raisest the same deep to the magnitude of mountains by thy winds, and sometimes layest it plain like a field; now making it rage with a storm, and then again quieting it with a calm, that they which sail therein may find a safe and gentle passage: that hast begirt the world, which thou createdst by Christ, with rivers, and watered it with brooks, and filled it with springs of living water always flowing, and bound up the earth with mountains, to give it a firm and unmovable situation. Thou hast filled thy world, and adorned it with odoriferous and medicinal herbs, with a multitude and variety of animals, weaker and stronger, some for meat and some for labour, some of a mild and some of a fiercer nature; with the hissing of serpents, and sweeter notes of birds of divers kinds; with the revolutions of years, and numbers of months and days, and orders of stated seasons; with flying clouds producing rain, for the procreation of fruits, and preservation of animals; with winds to blow in order at thy command, and a multitude of plants and herbs. Neither hast thou only made the world, but created man in it to be citizen of the world, and made him the ornament of thy beautiful structure. For thou saidst to thy own Wisdom, 'Let us make man in our own image and likeness, and let them have dominion over the fish of the sea, and over the fowl of the air.' And therefore thou madest him of an immortal soul, and a dissolvable body; creating the one out of nothing, and the other out of the four elements: and gavest him in his soul a rational knowledge, a power to discern between piety and impiety, and a judgment to distinguish between good and evil; and in his body the privilege and faculty of five several senses, with the power of local motion. For thou, O God Almighty, didst by Christ plant paradise in Eden towards the east, adorning it with all kinds of plants meet for food, and placing man therein as in a well-furnished house: and in his creation thou gavest a natural law implanted in his mind, that thereby he might have within himself the seeds of Divine knowledge. And when thou hadst placed him in the paradise of delights and pleasure, thou gavest him power to eat of all things, only forbidding him to taste of one kind, in expectation of something better: that if he observed that command, he might attain to immortality, as the reward of his obedience. But he, neglecting this command, and by the fraud of the serpent, and the counsel of the woman, tasting the forbidden fruit, thou didst justly drive him out of paradise; and yet in goodness didst not despise him, when he had destroyed himself; for he was thy workmanship; but thou, who didst put the creatures in subjection under him, didst appoint him to get his food by labour and sweat, thy providence concurring to produce, augment, and bring all things to maturity and perfection. Thou didst suffer him for a while to sleep the sleep of death, and then, with an oath, calledst him again to a regeneration; dissolving the bands of death, and promising him life by a resurrection. And not only so; but giving him an innumerable posterity, thou didst glorify such of them as adhered to thee, and punishedst those that apostatized from thee; receiving the sacrifice of Abel as a holy man, and rejecting the offering of Cain as abominable for murdering his brother. Thou didst also receive Seth and Enos, and translate Enoch. For thou art the Creator of men, and the Author of life, and the Supplier of all their wants, their Lawgiver, that rewardest those that keep thy laws, and punishest those that transgress them. Thou didst bring a

universal deluge upon the world because of the multitude of the ungodly, but deliveredst righteous Noah out of the flood with eight souls in thy ark, making him the end of the preceding generation, and the father of those that were to come. Thou didst kindle a dreadful fire against the five cities of the Sodomites, and turn a fruitful land into a vale of salt, for the wickedness of them that dwelt therein, but didst deliver righteous Lot from the burning. Thou art he that didst deliver Abraham from the impiety of his ancestors, and madest him to become heir of the world, and didst manifest thy Christ unto him. Thou didst appoint Melchisedec to be the high priest of thy service. Thou didst declare thy servant Job, after many sufferings, to be conqueror of the serpent, that first author of evil. Thou madest Isaac to be the son of promise. Thou madest Jacob to be the father of twelve children, and his offspring to be innumerable, and broughtest threescore and fifteen souls into Egypt. Thou, Lord, didst not despise Joseph, but for his chastity madest him to rule over the Egyptians. Thou, Lord, didst not forget the Hebrews, when the Egyptians oppressed them, because of the promise made to their fathers; but didst punish the Egyptians, and deliver thy people. And when men had corrupted the law of nature written in their minds, and some began to think the creatures had their existence of themselves, and honoured them above what was meet, placing them in the same rank with thee the God of all; thou didst not suffer them to wander in error, but raising up thy holy servant Moses, thou didst by him promulge a written law to revive and support the law of nature; showing the creatures to be the work of thy hands, and thereby expelling the error of polytheism out of religion. Thou didst honour Aaron and his posterity with the dignity of the priesthood. Thou didst chastise the Hebrews, when they sinned; and receive them into favour, when they turned unto thee. Thou didst punish the Egyptians with ten plagues; and dividing the sea, madest the Israelites to pass through it; drowning the Egyptians that pursued them. Thou madest the bitter water sweet with wood; thou broughtest streams out of the rock, when thou hadst divided the top of it; thou didst rain down manna out of heaven, and give them food out of the air, a measure of quails for every day; setting up a pillar of fire to give them light by night, and the pillar of the cloud to shadow them from heat by day. Thou didst constitute Joshua the captain of thy armies, and by him destroy the seven nations of the Canaanites, dividing Jordan, and drying up the rivers of Ethan, and laying flat the walls (of Jericho) without any engines of war or concurrence of human power. For all these things we glorify thee, O Lord Almighty. The innumerable armies of angels adore thee; the archangels, thrones, dominions, principalities, dignities, powers, hosts, and ages; the cherubims, and seraphims also with six wings, with two of which they cover their feet, and with two their faces, and two fly, saying, with thousand thousands of archangels, and ten thousand times ten thousand angels, all crying out without rest and intermission:" and let all the people say together with them, "Holy, holy, holy, Lord of hosts: heaven and earth are full of thy glory: blessed art thou for ever. Amen." And after this let the bishop say: "For thou truly art holy, the most Holy, the most High, far exalted above all things for evermore. Holy also is thy only begotten Son, our Lord and God, Jesus Christ; who, ministering to thee his God and Father in all things, both in various works of creation and providence, did not despise lost mankind; but after the law of nature, after the admonitions of the written law, after the reprehensions of the prophets, after the administrations and presidency of angels; when men had corrupted both the natural and written law, and erased the memory of the flood, and the burning of Sodom, and the plagues of Egypt, and devastations and slaughters of Palestine, and were now all ready to perish; he, who was the Creator of man, chose by thy will to become man; the Lawgiver, to be under the law; the High Priest, to be the sacrifice; the Shepherd, to be made a sheep: whereby he appeased thee his God and Father, and reconciled the world, and delivered all men from the wrath that hanged over their heads, being born of a virgin, and made flesh, God the Word, the beloved Son, the First-born of every creature; according to the prophecies which he himself predicted of himself, made of the seed of David and Abraham, and of the tribe of Judah: he who was the Former of all things that are made, was formed himself in the virgin's womb; he who is without flesh, was made flesh; and he who was begotten, *ἀχρονως*, before all time, was born in time: he lived a holy life, and taught a holy doctrine; expelling all manner of sicknesses and infirmities from the bodies of men, and working signs and miracles among the people; he who feeds all that have need of food, and fills every living creature of his own good pleasure and bounty, did himself partake of meat, and drink, and sleep; he manifested thy name to them that knew it not; he put ignorance to flight, and revived true piety and godliness, fulfilled thy will, and finished the work which thou gavest him to do: and when all things were thus set in order and rectified by him, he was betrayed by the incurable malice of one of his own disciples, and apprehended by the hands of the wicked, priests and high priests falsely so called, together with a sinful people; of whom he suffered many things, and underwent all manner of indignities, by thy permission; he was delivered to Pilate, the governor; the Judge himself was

judged; the Saviour of the world condemned; he who is impassible, was nailed to the cross; he who is immortal by nature, was made subject to death; and the Author of life, who quickens all things, was laid in the grave, that he might deliver those from suffering, for whose sake he came, and set them free from death, and break the bonds of the devil, and deliver men from his frauds and impostures: he rose again the third day from the dead, and conversed forty days with his disciples, and was taken up into heaven, and set at thy right hand, his God and Father.

"We therefore, in commemoration of these things, which he suffered for us, give thanks to thee, Almighty God, not as thou deservest and as is our duty, but *ὅσον δυνάμεθα*, as far as we are able, so fulfilling his command. For in the same night that he was betrayed, he took bread in his holy and immaculate hands, and looking up to thee his God and Father, he brake it, and gave it to his disciples, saying, 'This is the mystery of the new testament, take of it and eat it; this is my body, which is broken for many for the remission of sins.' Likewise he mixed a cup of wine and water, and sanctifying it, he gave it unto them, saying, 'Drink ye all of this; for this is my blood, which is shed for many for the remission of sins. This do in remembrance of me. For as often as ye eat this bread, and drink this cup, ye do show forth my death till I come.' We therefore, being mindful of his passion, and death, and resurrection from the dead, and his return into heaven; and also of his second coming, when he shall return with glory and power to judge the quick and dead, and to render to every man according to his works, do offer unto thee, our King and God, this bread and this cup, according to his appointment, giving thanks to thee by him, for that thou dost vouchsafe to let us stand before thee, and minister unto thee; and we beseech thee to look propitiously upon these gifts here set before thee, our God, who hast need of nothing, and to accept them favourably to the honour of thy Christ, and to send thy Holy Spirit upon this sacrifice, who is the witness of the suffering of our Lord Jesus, that it may make this bread the body of thy Christ, and this cup the blood of thy Christ; that they who partake of it may be confirmed in godliness, and obtain remission of sins, may be delivered from the devil and his impostures, may be filled with the Holy Ghost, and be made worthy of Christ, and obtain eternal life, thou being reconciled to them, O Lord Almighty.

"We beseech thee further, O Lord, for thy holy church from one end of the earth to the other, which thou hast purchased with the precious blood of thy Christ, that thou wouldst be pleased to keep it unshaken and immovable, by any storms or tempests, to the end of the world. We pray also for the whole episcopacy (or universal college of bishops) rightly dividing the word of truth. We pray for me thy unworthy servant, who am now offering unto thee, and for the whole presbytery, and deacons, and all the clergy, that thou wouldst give them all wisdom, and fill them with thy Holy Spirit. We pray thee, O Lord, for the king and all that are in authority, and for the whole army, that our affairs may be transacted in peace: that, passing our time in quietness and concord, we may glorify thee through Jesus Christ, our hope, all the days of our life. We offer unto thee for all thy saints, that have lived well-pleasing in thy sight from the foundation of the world, for patriarchs, prophets, holy men, apostles, martyrs, bishops, confessors, presbyters, deacons, subdeacons, readers, singers, virgins, widows, laymen, and all whose names thou knowest. We offer unto thee for this people, that thou wouldst make them, to the glory of thy Christ, a royal priesthood, and a holy nation; for all that live in virginity and chastity; for the widows of the church; for all that live in honest marriage and procreation of children; for the infants of thy people, that none of us be a cast-away. We pray thee for this city, and all that dwell therein; for those that are in sickness, in cruel bondage and slavery, in banishment, or under confiscation and proscription, for all that travel by sea or by land, that thou wouldst be their succour, and a universal helper and defender to them all. We pray thee for those that hate us and persecute us for thy name, for them that are yet without, and wandering in error, that thou wouldst convert them to good, and mitigate their fury. We pray thee for the catechumens of the church; for the energumens, that are tossed and tormented by the adversary the devil; for all our brethren that are doing penance, that thou wouldst perfect the former in faith, and cleanse and deliver the second from the power and agitation of the wicked one; and receive the repentance of the last, and pardon both them and us whatever offences we have committed against thee. We offer unto thee likewise for the temperature of the air, and the increase of the fruits of the earth, that we, continually partaking of those good things which thou bestowest on us, may without ceasing praise thee, who givest food unto all flesh. We also pray for those, who upon any just and reasonable cause are now absent, that thou wouldst vouchsafe to preserve us all in godliness, and keeping us without change, blame, or rebuke, to gather us into the kingdom of thy Christ, the God of all things in nature, visible and invisible, and our King. For to thee, Father, Son, and Holy Ghost, is due all glory, and worship, and thanksgiving, and honour, and adoration, now and for ever, throughout all ages, world without end." And let all the people answer, "Amen."

After this the bishop is appointed to say again, "The peace of God be with you all;" to which the

people answer, "And with thy spirit." And then the deacon calls upon the people to join with him in another prayer, which is termed *προσφώνησις*, &c., a bidding prayer for the faithful after the Divine oblation, in these words: "Let us pray[3] yet again and again to God by his Christ, for this gift which is offered to the Lord God; that the good God would receive it to his altar in heaven for a sweet-smelling savour, by the mediation of his Christ. Let us pray for this church and people; for the whole society of bishops, and presbyters, and deacons, and ministers, and the whole catholic church, that the Lord would keep and preserve them all. Let us pray for kings and all that are in authority, that our affairs may go on with tranquillity, and that we may lead a quiet and peaceable life in all godliness and honesty. Let us commemorate the holy martyrs, that we may be thought worthy to have fellowship in their conflicts and engagements. Let us pray for those that rest in faith; let us pray for the temperature of the air, and increase of the fruits of the earth, that they may grow to perfection. Let us pray for those that are newly baptized, that they may be confirmed in faith. Let us all exhort and excite one another. Let us rise and commend ourselves to God by his grace." Then let the bishop say, "O God, that art great, great in name, great in counsel, and mighty in works; the God and Father of thy holy Son Jesus our Saviour; look favourably upon us and this thy flock, which thou hast chosen in him to the glory of thy name. Sanctify our bodies and souls; and grant, that we being pure from all filthiness of flesh and spirit, may obtain the good things that are set before us; and that thou mayest judge none of us unworthy, but be our helper, defender, and protector, through thy Christ; to whom, with thee and the Holy Spirit, be glory, honour, and praise, doxology and thanksgiving, for ever. Amen."

And when all the people have said "Amen," let the deacon cry again, Πρόσχωμεν, Let us give attention. Then the bishop shall speak to the people, saying, *Τὰ ἅγια τοῖς ἁγίοις*, "Holy things for those that are holy." And the people shall answer, "There is one holy, one Lord, one Jesus Christ, to the glory of God the Father, blessed for ever. Amen. Glory be to God on high, and in earth peace, good will towards men. Hosanna to the Son of David: blessed be the Lord God, that came in the name of the Lord, and manifested himself unto us: hosanna in the highest."

This is the whole service preceding the act of communicating, as it is delivered in the Constitutions; which I have here represented all together as it lies there, that the reader may see it in one view. I shall now compare the several parts and branches of it with the certain accounts we have of them in other authentic writers; beginning with that which was the first in order, the minister's salutation of the people.

Sect. 2. This account compared with what is said in other authors. First, As to the form of salutation, "Peace be with you," &c.

It has been observed before,[4] that this form of saluting the people, by saying, "Peace be with you," or, "The Lord be with you," or, "The grace of our Lord Jesus Christ, &c. be with you," was the usual preface and introduction to all holy offices, and therefore always used before prayers, especially those that were offered up at the altar. Theodoret says, it was used both at the entrance of their sermons and the mystical service,[5] by which he means this part of the communion office. Cyril of Alexandria says the same, that they used it in the beginning[6] of their mysteries; and that Christ made it a law, as it were, unto the church, by saying so often to his disciples, "Peace be unto you." But no one speaks more fully of it than St. Chrysostom. He says, they used it in all their offices; when they first came into the church; when they preached; when they gave the benediction; when they commanded the people to salute one another with the kiss of peace; when the sacrifice[7] was offered; and at other times in the communion service. Where it is observable, that he speaks of this salutation as used four times at least in this part of the communion office, besides other occasions. In another place, exhorting Christians not to follow the customs of the Jews, but to be at unity and peace among themselves, he uses this argument: There is nothing comparable to peace and concord. Therefore when the bishop first enters the church, before ever he goes up to his throne, he says, "Peace be unto you all:" when he rises up to preach, he does not begin before he has given the "Peace to all:" when the priests are about to make the benediction prayers, they first[8] use this salutation, and then begin their benedictions. So also the deacon, when he bids you pray in common, among other things he reminds you to pray for the angel of peace; and when he dismisses you from this assembly, he prays for you in the same manner, saying, "Go in peace." And there is nothing at all said or done without this. In another homily, upon the descent of the Holy Ghost,[9] he gives the reason, why it was more particularly used at the Lord's table. The bishop, says he, not only when he goes into his throne, and

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[3] Constit. lib. 8. cap. 13.

[4] Book XIV. chap. 4. sect. 14.

[5] Theod. Ep. 146. p. 1032. *Τοῦτο ἐν πάσαις ταῖς ἐκκλησίαις τῆς μυστικῆς ἐϛι λειτουργίας προοίμιον.*

[6] Cyril. lib. 12. in Joan. xx. p. 1093. *Παρ' αὐτὰς τοῦ μυϛηρίου τὰς ἀρχὰς τοῦτο καὶ ἀλλήλοις ἡμεῖς φαμέν.* Vid. Isidor. Pelus. lib. 1. Ep. 112.

[7] Chrys. Hom. 3. in Colos. p. 1338.

[8] Ibid. Hom. 52. in eos qui Pascha jejunant, t. 5. p. 713.

[9] Ibid. Hom. 36. de Pentecost. t. 5. p. 553.

when he preaches, and when he prays, uses this form, but when he stands at this holy table, when he is about to offer the tremendous sacrifice, he does not touch the oblation, before he has prayed that the "grace of the Lord may be with you," and ye have answered, "And with thy spirit:" by which answer ye remind yourselves, that it is not the minister who effects any thing in this matter, neither is the consecration of the gifts there lying the work of human nature, but that it is the grace of the Spirit then present, and descending upon the elements, that makes this mystical sacrifice. There are several other passages to the same purpose in his other homilies[10] upon the Gospels and St. Paul's Epistles, which because the reader may find them at large in the extract of the liturgy above[11] out of St. Chrysostom's works, I will not here repeat them. The same custom was always observed in the Latin church. For Tertullian[12] plainly refers to it, when he objects it to the heretics, that they gave the peace to all without exception; implying, that the church used it, but with some distinction. Optatus says,[13] The Donatists retained the form, but grossly abused it in their practice. They could not omit the solemn words; they said, Peace be unto you. But why, says he, dost thou salute men with that which thou hast not? Why dost thou name peace that hast destroyed it? Thou salutest men with the words of love and peace, who hast nothing of the reality and substance of it. In the Spanish church they used a like form, though not altogether the same. For by an order of the first council of Braga,[14] it was appointed that both bishops and presbyters should use one and the same form of salutation, that is, "The Lord be with you," as it is in the Book of Ruth; and that the people should answer, "And with thy spirit:" as all the East receive it by tradition from the apostles, and not as the Priscillian heresy hath changed it. What change the Priscillianists had made in this matter, is not very clear: some learned men are of opinion[15] that they would allow the bishops to use no other form but *Pax vobis*, and the presbyters only to say, *Dominus vobiscum:* whence they conclude that the word *Oriens*, the East, must have crept into the canon instead of the West, because it is so evident, that all the Eastern church used the form, *Pax vobis*, both in the salutation of bishops and presbyters. But I should rather think the Priscillian pravity here complained of, was their denying the people the liberty of making their proper response, and bearing their part in the service, by saying, "And with thy spirit," as had been the custom of all the East from the time of the apostles. However this be, I cannot forbear to say, it is the very error and pravity which the church of Rome has since run into. For Bona owns himself,[16] that though it was customary in the ancient church for all the congregation, and not only the clerks, to answer the priest, by saying, "And with thy spirit;" yet now it is otherwise in the church of Rome, where the clerks only make this response, and the people are wholly excluded from it. For which no other reason can be assigned, but the magisterial authority of that church, pretending to prescribe what she pleases to the people, with a *non obstante* to any rule or tradition of the ancient church. St. Chrysostom's reasoning in behalf of the people's bearing a part in prayer with the priest, is of much more weight, and with it I will conclude this paragraph.

Great is the power of the congregation, that is, of the whole church, says he.[17] It was their prayer that delivered Peter from his bonds, and opened the mouth of Paul. Their suffrage is a peculiar ornament to those who are called to the spiritual offices of government. And, therefore, he who is about to perform the office of ordination, at that time requires their prayers, and they join their suffrage, crying out in those words, which they that are initiated in the holy mysteries know: for we may not speak all things openly before the unbaptized. There are some things wherein there is no difference between priest and people, as when they are to partake of the tremendous mysteries. For we are all alike admitted to them: not as under the Old Testament, when the priest eat one thing, and the people another; and it was not lawful for the people to partake of those things which the priest alone might partake of. It is not so now, but there is one body, and one cup proposed in common to all. So also in the prayers one may now observe the people to contribute a great deal. For common prayers are made for the energumens, and for the penitents, both by the priests and people. For they all say that one and the same prayer, the prayer so full of mercy. Again, when we exclude those from the sanctuary, who cannot partake of the holy table, we are all obliged to make another prayer, in which we all fall

[10] Chrys. Hom. 18. in 2 Cor. p. 873. Hom. 36. in 1 Cor. p. 652. Hom. 33. in Matt. p. 318.

[11] Book XIII. chap. 6.

[12] Tert. de Præscr. cap. 41. Pacem cum omnibus miscent.

[13] Optat. lib. 3. p. 73. Non potuistis prætermittere quod legitimum est. Utique dixistis, Pax vobiscum.——Quid salutas, de quo non habes? Quid nominas, quod exterminasti? Salutas de pace, qui non amas.

[14] Conc. Bracar. 1. can. 21. Placuit ut non aliter episcopi, et aliter presbyteri populum, sed uno modo salutent, dicentes, Dominus sit vobiscum: sicut in Libro Ruth legitur, et ut respondeatur a populo, Et cum spiritu tuo: sicut et ab ipsis apostolis traditum omnis retinet Oriens, et non sicut Priscilliana pravitas immutavit.

[15] Garsias Loaisa in loc. Bona, de Reb. Liturg. lib. 2. cap. 5. n. 1. Habertus, Archieratic. p. 330. Hamon L'Estrange, Alliance of Div. Offic. chap. 3. p. 82.

[16] Bona, ibid. p. 501. Nunc soli clerici vel ministri respondent.

[17] Chrys. Hom. 18. in 2 Cor. p. 872.

down alike on the earth, and all rise up together. Again, when we are to give and receive the peace, or kiss of peace, we all in like manner salute each other. And again, in celebrating the holy mysteries, the priest prays for the people, and the people for the priest; for these words, "And with thy spirit," are nothing else but the people's prayer. In like manner, the prayer of thanksgiving is a common prayer. For not only the priest gives thanks, but all the people also. For when he has first received their answer, declaring their consent, that "it is meet and right so to do," then he begins the thanksgiving. And why should you wonder, that the people sometimes speak with the priest, when they are allowed to send up those holy hymns in common with the very cherubims and celestial powers above? I have spoken all this, adds he, to make every member of the church, though he be an inferior, to become watchful and vigilant; and to teach us, that we are all one body, and only differ from each other as members do from the members of the same body; and that we should not cast all upon the priests, but every one bear his share in his concern for the whole church, as one common body. I will now leave any ingenuous reader to judge, whose reasons are strongest and most rational; those of Chrysostom, who thus pleads the people's right in bearing a part in the public service of God; or theirs who, by an overbearing authority, deny them their just right; and as they have taken away the cup, and the Bible, and the key of knowledge from them, so have also denied them the liberty of joining in common prayer with the priest, which was their uncontested privilege in the ancient church.

Sect. 3. Secondly, The kiss of peace.

But I proceed with the Constitutions. As there, immediately after the priest has given the salutation of peace, and the people have returned their answer, a deacon goes on to proclaim solemnly, that they should salute one another with a holy kiss; and so the clergy salute the bishop, and laymen their fellow laymen, and women one another; it is in the very same manner represented in other writers. The council of Laodicea, describing the order of the ancient service, says, After the prayers[18] of the faithful, the peace should be given: and after the presbyters have given the peace to the bishop, and laymen the peace to one another, the holy oblation should be offered. After the same manner, Cyril of Jerusalem[19] speaks of it as coming before the *Sursum corda*, "Lift up your hearts to the Lord." A deacon cries, "Receive one another, salute one another with a holy kiss." Which, he says, was a symbol of reconciliation, and forgiving all injuries whatsoever. St. Chrysostom[20] often mentions it among other arguments to excite men to unity and charity; reminding them of this symbol of peace and reconciliation, and how great a piece of pageantry and mere hypocrisy it was to give this kiss, as Judas did, without cordial love and sincere affection. Particularly in one place[21] he notes the circumstance of time when this ceremony was used, that is, before the oblation, when the sacrifice was about to be offered: which agrees exactly with the time specified in the Constitutions. The same is noted long before by Justin Martyr,[22] that it was between the common prayers for the whole state of Christ's church, and the prayers of consecration. For, says he, when prayers are ended, we salute one another with a kiss: and after that, bread and wine and water is brought to the president of the brethren, who, receiving them, gives praise and glory to the God of all things, in the name of the Son and the Holy Spirit. In the Latin church the same custom was observed, only with this difference, that it came not before, but after the consecration prayers and the Lord's prayer, immediately before the distribution. For so St. Austin or Cæsarius Arelatensis represents it, in describing the order of the service: When the consecration[23] is ended, we say the Lord's prayer; and after that, "Peace be with you:" and then Christians salute one another with a holy kiss, which is a sign of peace, if that be really in their hearts, which they pretend with their lips. He mentions the thing in other places, and seems to intimate, that the Donatists observed the same ceremony, though they had nothing of the peace that was intended by it. In his books against Petilian,[24] speaking of one Optatus Gildonianus, a Donatist bishop, who had been a great oppressor of widows and orphans, and infamous for many other barbarous cruelties, he says, notwithstanding all this, they gave him the kiss of peace, when they received the sacrament at his hands. In another

[18] Conc. Laodic. 19. Εἶθ' *οὕτως τὴν εἰρήνην διδόσθαι. καὶ μετὰ τοὺς πρεσβυτέρους δοῦναι τῷ ἐπισκόπῳ τὴν εἰρήνην, τότε τοὺς λαϊκοὺς τὴν εἰρήνην διδόναι. καὶ οὕτω τὴν ἁγίαν προσφορὰν ἐπιτελεῖσθαι.*

[19] Cyril. Catech. Myst. 5. n. 2.

[20] Chrys. Hom. 20. in Mat. p. 205. Hom. 22. in Rom. p. 251. Hom. 30. in 2 Cor. p. 995. Hom. 14. in Ephes. p. 1128. Hom. 77. in Joan. p. 500. Hom. 30. de Proditore, t. 5. p. 565. Hom. 50. ibid. p. 686.

[21] Chrys. de Compunct. Cordis, lib. 1. cap. 3. t. 4. p. 118. *Ἀσπαζόμενοι ἀλλήλους μέλλοντος τοῦ δώρου προσφέρεσθαι, κ.τ.λ.*

[22] Justin. Apol. 2. p. 97. *Ἀλλήλους φιλήματι ἀσπαζόμεθα παυσάμενοι τῶν εὐχῶν· ἔπειτα προσφέρεται τῷ προεστῶτι τῶν ἀδελφῶν ἄρτος καὶ ποτήριον ὕδατος καὶ κράματος.* Vid. Clem. Alex. Pædagog. lib. 3. cap. 11. Athenag. Legat. p. 36. Dionys. Eccl. Hierarch. cap. 3. sect. 8.

[23] Aug. Hom. 83. de Diversis, t. 10. p. 556. Ubi peracta est sanctificatio, dicimus orationem Dominicam. Post ipsam dicitur, Pax vobiscum, et osculantur se Christiani in osculo sancto, quod est signum pacis, si quod ostendunt labia, fiat in conscientia.

[24] Aug. cont. Literas Petilian. lib. 2. cap. 23. Cui pacis osculum inter sacramenta copulabatis, &c.

place[25] he compares the Donatists to crows, and the catholics to doves; because, though they both gave the kiss of peace, yet the one tare the church in pieces, and fed upon its ruins, but the other were innocent and harmless as doves; and by those characters they might be distinguished from each other. It appears also from Pope Innocent's letter[26] to Decentius, bishop of Eugubium, that it was the general custom of the Italic churches to give the kiss of peace, not before the consecration, but after: for it blames those that gave it before, and says, it ought to come after, as a testimony of their consent to all that was done, and as a seal of the consecration prayer, to signify that all was ended. Tertullian[27] probably upon this account gave it the name of *signaculum orationis*, the seal of their prayers; as being in his time used when all the prayers of consecration were ended. He seems to intimate also that it was given promiscuously, and without distinction between men and women.[28] For among other arguments, which he uses why a Christian woman should not marry a heathen, this is one, that he would be unwilling to suffer her to go into the prisons to kiss the martyrs' chains, or at any other times to give the kiss of peace to a brother. And this is as plainly intimated by the ancient writer of the Passion of Felicitas and Perpetua, about Tertullian's time, when he says[29] that Felicitas, Perpetua, and Saturus did mutually kiss each other before they suffered, that they might consummate their martyrdom by the solemn rite of peace: alluding to the usual custom of giving the kiss of peace without distinction, though it was otherwise observed in the Greek church. There is one thing more proper to be observed out of Tertullian,[30] that some made a scruple of giving the kiss of peace upon a fast day, though it were but a private fast of their own; whom he reproves, telling them, that the kiss of peace was the seal of prayer; that it was never more proper than when joined with prayer; that there was no prayer perfect without peace; that peace was no impediment to a man in doing his duty to the Lord; that whatever reason they had for it, their reason was not stronger than the observation of the precept which obliges us to conceal our fasts. Whereas when we refrain from the kiss of peace, that discovers us to be fasting. We may at home omit this ceremony of giving the peace, because there our fasts cannot be wholly concealed from the family: but in other places, where you may conceal your action, you ought to remember the precept of the Lord; and so you may observe the discipline of the church abroad, and your own custom at home. Tertullian, we see, speaks this of private fasts, which he thinks no reason for men's refusing the kiss of peace in public. As to public fasts, the case was otherwise. For, by the laws of the church, this ceremony was omitted on some more solemn days of fasting; as upon the day of our Saviour's passion. For Tertullian adds immediately in the next words,[31] that on that day, because it was a public and common fast, ordained by the laws of the church, they omitted the kiss of peace, and no one then regarded the omission, because it was done by general consent and agreement. And this seems to have been an exception of universal extent in the church: for Procopius notes it in the Life of Justinian and Theodora, who began their reign on this day, anno 527, that they began it with an ill omen, on a day[32] that no one used the kiss of peace in the church. And thus much of this ancient ceremony, so often enjoined by the apostle, Rom. xvi. 16; 1 Cor. xvi. 20; 2 Cor. xiii. 12; 1 Thess. v. 26; 1 Pet. v. 14. Of which some have written[33] whole volumes: but I content myself to have said so much, as may serve to confirm the observation made upon the author of the Constitutions, that this was an ancient rite universally observed in the church in one part or other of the communion service.

Sect. 4. Thirdly, Washing of hands before consecration.

The next thing mentioned in the Constitutions, is the ceremony of the priest's washing his hands before consecration. This is also noted by Cyril of Jerusalem in his Mystagogical Explication of the Communion Service, where, speaking to the newly baptized, he says, Ye have seen the deacon bring water to the bishop and presbyters[34] standing about the altar, to wash their hands. Did he give it to wash the

[25] Aug. Tract. 6. in Joan. p. 21. Osculantur corvi, sed laniant: a laniatu innocens est natura columbarum. Ubi ergo laniatus, non est vera in osculis pax, &c.

[26] Innoc. Ep. 1. ad Decent. cap. 1. Pacem ergo asseris ante confecta mysteria quosdam populis imperare, vel sibi inter sacerdotes tradere: cum post omnia, quæ aperire non debeo, pax sit necessario indicenda, per quam constet populum, ad omnia quæ in mysteriis aguntur, atque in ecclesia celebrantur, præbuisse consensum, ac finita esse pacis concludentis signaculo demonstrentur.

[27] Tertul. de Orat. cap. 14.

[28] Ad Uxor. lib. 2. cap. 4. Quis patietur alicui fratrum ad osculum convenire?

[29] Passio Perpetuæ, ad calcem Lactant. de Mort. Persec. p. 35. Ante jam osculati invicem, ut martyrium per solennia pacis consummarent.

[30] Tertul. de Orat. cap. 14. Alia jam consuetudo invaluit, jejunantes habita oratione cum fratribus subtrahunt osculum pacis, quod est signaculum orationis. Quando autem magis conferenda cum fratribus pax est, nisi cum oratione commendabilior ascendit? —— Quæ oratio cum divortio sancti osculi integra? Quem Domino officium facientem impedit pax? Quale sacrificium est, a quo sine pace receditur? &c.

[31] Ibid. Die Paschæ, quo communis et quasi publica jejunii religio, deponimus osculum; nihil curantes de osculando, quod cum omnibus faciamus.

[32] Procop. Hist. Arcana, cap. 9.

[33] Mullerus de Osculo Sancto. Jenæ, 1675. 4to. Martin Kempius de Osculo, &c. Lipsiæ, 1665.

[34] Cyril. Catech. Myst. 5. n. 1.

filth of their bodies? By no means. For we do not use to go into the church with bodies defiled: but that washing of hands is a symbol, that you ought to be pure from sin and transgressions of the law. For the hands are the symbol of action, and washing them denotes the purity and cleanness of our actions. Have you not heard holy David explaining this mystery, and saying, "I will wash my hands among the innocent, and so will I compass thine altar, O Lord." Therefore washing the hands is a symbol or indication that we are not obnoxious or liable unto sin. The author of the Questions upon the Old and New Testament under the name of St. Austin,[35] takes notice of the same custom as used in all churches, only with this difference, that whereas in other churches it was commonly the office of the deacons to bring water to priests, in the Roman church it was devolved upon the subdeacons, because there was a multitude of inferior clergy in that church above many others. And in the author under the name of Dionysius the Areopagite, a great deal more may be read to the same purpose.

Sect. 5. Fourthly, The deacon's admonition to all non communicants to withdraw; and to all communicants to come in charity and sincerity.

In the next place, whereas in the Constitutions the deacon is appointed again to make a solemn proclamation, ordering all non-communicants, catechumens, penitents, and unbelievers, to be excluded; and admonishing all communicants to approach in charity and sincerity, not in enmity with their brethren, or in hypocrisy towards God, but in reverence and fear; the very same is suggested by Chrysostom: Dost thou not hear the deacon, the herald of the church, standing and crying, All ye that are under penance,[36] be gone. All they that do not partake of the communion, are in penance. If thou art in penance, thou mayest not partake. And Severianus, bishop of Gabala, in one of his homilies among St. Chrysostom's works,[37] speaks of the same: Ye have seen the deacons traversing the church, and crying, Let no catechumen be present, none of those that may not see the heavenly blood shed for the remission of sins, &c. Ye remember after this how the angels from heaven sing the hymns and praises, saying, "Holy is the Father, holy is the Son, holy is the Holy Ghost." By which it is plain, these admonitions of the deacon were here repeated as preparatory to the oblation.

Sect. 6. Of the ῥιπίδια, or fans to drive away insects.

The circumstance of the ῥιπίδια, or fans to drive away the insects, is so minute, that it is no great wonder it should be omitted in most other writers beside the Constitutions. Bona says,[38] they are mentioned in Jobius[39] and Germanus Theoria, and the liturgies that go under the name of St. Chrysostom and St. Basil. Suicerus thinks,[40] that in most of those writings the word ῥιπίδια signifies one of their holy vessels, a basket or the like, in which they were used to carry the sacred elements to and from the altar; such as that spoken of by St. Jerom, when describing the glorious poverty of Exuperius, bishop of Tholouse, he says,[41] he was used to carry the Lord's body in a basket of osiers, and the blood in a glass cup. And indeed in Herodotus the word ῥιπίδιον is by some lexicographers said to signify a basket; but in the liturgies of St. Chrysostom and Basil, it is taken in the common sense of Greek authors, and as it is used in the Constitutions, for a fan to blow with. For in Chrysostom's liturgy the deacon is to ventilate[42] or blow over the elements with a fan; or if there be no fan, then to do it with the covering of the cup. And in St. Basil's liturgy there is mention[43] made of the same utensils, ῥιπίδιον ἢ κάλυμμα, either the fan, or the covering of the cup, to be used for the same purpose. And so the word ῥιπίδιον[44] is taken both by Germanus, and Jobius, and Suidas. So that there was no reason for Suicerus to reckon the author of the Constitutions so singular in this opinion. But as these authors are not very ancient, I have mentioned them rather to explain a hard word, than establish an ecclesiastical custom. St. Jerom's authority is produced by Durantus,[45] but it is nothing to the purpose: for though he mentions the use of *muscaria*,[46] that is, fans; yet it is plain he speaks of them not as any ecclesiastical utensil, but as a civil present made by Marcella to the matrons, though he gives a tropological turn of wit, to draw something of a mystical meaning out of them. So I let this matter pass as a minute circumstance in the Constitutions, about which it is not worth our while to be further soli-

[35] Aug. Quæst. Vet. et Novi Testamenti, qu. 101. Ut autem non omnia ministeria obsequiorum per ordinem agant, multitudo facit clericorum. Nam utique et altare portarent et vasa ejus, et aquam in manus funderent sacerdoti, sicut videmus per omnes ecclesias, &c.

[36] Chrys. Hom. 3. in Ephes. p. 1051.

[37] Ap. Chrys. t. 6. Hom. 37. de Filio Prodigo, p. 375. See before, Book XIII. chap. 6. sect. 6. Vide Chrys. Hom. 1. cont. Judæos, t. 1. p. 400. Ἐπιγινώσκετε ἀλλήλȣς, κ.τ.λ.

[38] Bona, Rer. Liturg. lib. 1. cap. 25. n. 6.

[39] Jobius ap. Photium, Cod. 222.

[40] Suicer. Thesaur. Eccles. voce Ῥιπίδιον, t. 2.

[41] Hieron. Ep. 5. ad Rusticum. Nihil illo ditius, qui corpus Domini canistro vimineo, sanguinem portat in vitro.

[42] Chrys. Liturg. Bibl. Patr. Gr. Lat. t. 2. p. 78. Ῥιπίζει ἐπάνω τῶν ἁγίων μετὰ ῥιπιδίȣ εὐλαβῶς. Εἰ δὲ ȣκ ἔςι ῥιπίδον, ποιεῖ τȣ̃το μετὰ καλύμματος.

[43] Basil. Liturg. ibid. p. 51.

[44] German. Contemplatio Rer. Eccles. ibid. p. 157. Jobius ubi supra. Suidæ Lexicon, t. 2. p. 686.

[45] Durant. de Ritib. lib. 1. cap. 10. n. 2.

[46] Hieron. Ep. 20. ad Marcellam. Quod autem et matronis offertis muscaria parva, parvis animalibus eventilandis, elegans significatio est, debere luxuriam cito restinguere, quia muscæ morituræ oleum suavitatis exterminant.

citous in our inquiries, to give collateral evidence out of the ancient writers.

Sect. 7. Of the use of the sign of the cross at the Lord's table.

The next thing mentioned in the Constitutions is, the use of the sign of the cross, before the minister proceeds to the consecration. And of this there is more certain evidence in the ancient writers. For Chrysostom says expressly,[47] that it was not only used by Christians every day, but particularly at the holy table, and in the ordinations of priests, and that its glory shined with the body of Christ in the mystical supper: which implies, that it was used more than once in the time of celebration. St. Austin says likewise, that it was used in all their offices,[48] in consecrating the waters of baptism, in the unction of confirmation, and in the sacrifice of the eucharist; without which none of them were solemnly performed.

Sect. 8. Of the usual preface, called *Sursum corda*, or the preparation to the great thanksgiving.

Next after this, immediately before the great thanksgiving in the Constitutions, the priest having given the people another salutation in the words of St. Paul, " The grace of our Lord Jesus Christ, &c. be with you;" and they answering again, " And with thy spirit:" the priest goes on and says, " Lift up your hearts:" to which the people answer, " We lift them up unto the Lord." The priest says again, " Let us give thanks to the Lord;" and the people answer, " It is meet and right so to do." Now, this is mentioned almost by all ecclesiastical writers, that have said any thing of the eucharist or prayer. St. Cyprian[49] calls it the preface that was premised by the priest, to prepare the brethren's minds to pray with a heavenly temper. St. Austin mentions it above ten times in his writings: the places have been noted above,[50] in the general discourse of liturgies, and therefore I need not here repeat them. I will only remark, that he says, It was the custom of the whole church throughout the world[51] to say daily almost with one voice, " We lift up our hearts unto the Lord." And that therefore the hearts[52] of Christian people were a sort of heaven, because they are daily lift up to heaven, whilst the priest says, " Lift up your hearts;" and they answer, " We lift them up unto the Lord." St. Chrysostom also[53] frequently mentions the use of this preface in his homilies, which because I have related at length in a former Book, I forbear to repeat them again in this place.[54] The reader that is curious, may find the same forms related in Cyril's Mystical Catechisms,[55] and Anastasius Sinaita,[56] and Cæsarius Arelatensis,[57] and Eligius Noviomensis,[58] not to mention the Greek liturgies, or any later writers. I only observe further out of the council of Milevis,[59] where there is mention made of prefaces among other prayers, it is commonly supposed by learned men, that these forms are meant, " Lift up your hearts: We lift them up unto the Lord. Let us give thanks unto the Lord: It is meet and right so to do." Which, as Mabillon[60] observes, in the old Gallican liturgy, is called *contestatio*, because, by these answers, the people gave in their attestation or testimony of their compliance with the priest's exhortation; declaring that their hearts were now in heaven, and that it was meet and right to praise the Lord.

Sect. 9. Of the *εὐχαριστία*, or great thanksgiving, properly so called.

After this, the priest went on with the *εὐχαριστία*, properly so called, that is, the great thanksgiving to God for all his mercies, both of creation, providence, and redemption; where a commemoration was made of all that God had done for man from the foundation of the world, and more particularly in the great mystery of redemption: upon which a solemn and magnificent glorification of God was framed, always including the *Trisagion*, or seraphical hymn, " Holy, holy, holy, Lord of hosts," &c., which was sung by the minister and people jointly; and then the minister went on alone to finish the solemn thanksgiving. We have no where else indeed so long a thanksgiving as is that in the Constitutions: but the substance of it is not only in the liturgies that go under the names of St. James, Chrysostom, and Basil, but may be discovered in more authentic writings. For Justin Martyr, describing the Christian rites and mysteries,[61] says, As soon as the common prayers were ended, and they had saluted one another with a kiss, bread and wine

[47] Chrys. Demonstrat. Quod Christus sit Deus, cap. 9. t. 5. p. 840. *Οὗτος ἐν τῇ ἱερᾷ τραπέζῃ, ἕτος ἐν ταῖς τῶν ἱερέων χειροτονίαις, ἕτος πάλιν μετὰ τȣ̃ σώματος τȣ̃ Χριςȣ̃ ἐπὶ τὸ μυςικὸν δεῖπνον διαλάμπει.*

[48] Aug. Hom. 118. in Joan. p. 225. Quid est signum Christi nisi crux Christi? Quod signum nisi adhibeatur sive frontibus credentium, sive ipsi aquæ ex qua regenerantur, sive oleo quo chrismate unguntur, sive sacrificio quo aluntur; nihil horum rite perficitur.

[49] Cypr. de Orat. p. 152.

[50] See Book XIII. chap. 5. sect. 7.

[51] Aug. de Vera Relig. cap. 3. t. 1. p. 302. Quotidie per universum orbem humanum genus una pene voce respondet, Sursum corda se habere ad Dominum.

[52] Serm. 44. de Tempore. Corda fidelium cœlum sunt, quia in cœlos quotidie eriguntur, dicente sacerdote, Sursum corda; securi respondent, Habemus ad Dominum.

[53] Chrys. Hom. 18. in 2 Cor. p. 873. Hom. 22. in Heb. p. 1898. Hom. 5. de Pœnitent. t. 6. Edit. Savil. Hom. 24. in 1 Cor. p. 536. Hom. 38. de Euchar. t. 5. p. 569.

[54] See Book XIII. chap. 6.

[55] Cyril. Catech. Myst. 5. n. 3.

[56] Anastas. Serm. de Synaxi, ap. Albertin. de Eucharistia, p. 529.

[57] Cæsar. Hom. 12.

[58] Eligius, Hom. 11. de Cœna Domini. Ex verbis Cypriani.

[59] Conc. Milevit. can. 12. Placuit, ut preces vel orationes et missæ sive præfationes, quæ probatæ fuerint in concilio, ab omnibus celebrentur.

[60] Mabillon. de Liturg. Gall. lib. 1. cap. 3. n. 17.

[61] Justin. Apol. 2. p. 97.

and water was brought to the president; who, receiving them, gave praise and glory to the Father of all things by the Son and Holy Spirit, and made *εὐχαριστίαν ἐπὶ τὸ πολὺ*, a long thanksgiving for the blessings which he vouchsafed to bestow upon them. And when he had ended the prayers and thanksgiving, all the people that were present answered with acclamation, Amen. After the same manner Irenæus:[62] We offer unto him his own gifts, thereby declaring the communication and truth both of flesh and Spirit. For as the bread, which is of the earth, after the invocation of God upon it, is no longer common bread, but the eucharist, consisting of two parts, the one earthly, the other heavenly; so all our bodies, receiving the eucharist, are no longer corruptible, whilst they live in hopes of a resurrection. But we offer these things to him, not as if he stood in need of them, but as giving him thanks for his gifts, and sanctifying the creature. So Origen[63] says, They eat the bread that was offered to the Creator with prayer and thanksgiving for the gifts that he had bestowed on them, which bread was made a holy body by prayer, sanctifying those that used it with a pious mind. Cyril of Jerusalem more particularly specifies the substance of this thanksgiving in his Mystical Catechisms, saying,[64] After this, that is, after we have said, "Let us give thanks to the Lord," and "it is meet and right so to do," we make mention of the heaven, and earth, and sea, and the sun, moon, and stars, and all the creatures, rational and irrational, visible and invisible, angels, archangels, hosts and dominions, principalities and powers, thrones, and cherubims covering their faces, saying, with David, "Magnify the Lord with me." We also make mention of the cherubims, which Esaias saw in the Spirit, standing about the throne of God, and with two wings covering their faces, and with two their feet, and flying with two, and saying, "Holy, holy, holy, Lord God of hosts." This is much the same with the thanksgiving in St. James's liturgy, which was used in the church of Jerusalem, in this form: It is very meet and right, becoming us and our duty,[65] that we should praise thee, and celebrate thee with hymns, and give thanks unto thee, the Maker of all creatures, visible and invisible, the Treasure of all good, the Fountain of life and immortality, the God and Lord of all things, whom the heavens and the heavens of heavens praise, and all the host of them; the sun, and moon, and the whole company of stars; the earth, and sea, and all that are in them; the celestial congregation of Jerusalem; the church of the first-born, who are written in heaven; the spirits of just men and prophets, the souls of martyrs and apostles; angels and archangels, thrones and dominions, principalities and powers, the tremendous hosts and cherubims with many eyes, and seraphims with six wings, with two whereof they cover their faces, and with two their feet, and with two they fly, crying out incessantly one to another, and singing with loud voices the triumphal song of the magnificence of thy glory, "Holy, holy, holy, Lord of hosts, heaven and earth are full of thy glory. Hosanna in the highest. Blessed be he that cometh in the name of the Lord. Hosanna in the highest."

St. Chrysostom[66] also speaks of this thanksgiving, though he does not give us the whole form of it, but only the introduction, saying, The prayer of thanksgiving is common both to priest and people. For not only the priest gives thanks, but all the people. For, first, he receives their answer and attestation, That it is meet and right to praise the Lord, and then he begins the thanksgiving. And why should you wonder, that the people should sometimes speak with the priest, when they do, even with the cherubims and celestial powers, send up those sacred hymns to heaven above? He means those hymns, "Holy, holy, holy," &c., and, "Glory be to God on high;" which, as we shall presently see, were one part of this great thanksgiving.

Among the Latin writers this previous giving of thanks is mentioned by Fulgentius also,[67] who says, In the Christian sacrifice there was both a thanksgiving and a commemoration made of the flesh of Christ, and of his blood which he shed for our sakes. And so St. Ambrose, or whoever was the author of the books De Sacramentis among his works; distinguishing between the thanksgiving and the consecration, he asks,[68] With what words, and with whose words is the consecration made? And answers, With the words of the Lord Jesus. For all

[62] Iren. lib. 4. cap. 34. Offerimus ei quæ sunt ejus, congruenter communicationem et veritatem prædicantes carnis et Spiritus. Quemadmodum enim qui est a terra panis, percipiens invocationem Dei, jam non communis panis est, sed eucharistia, ex duabus rebus constans, terrena et cœlesti: sic et corpora nostra, percipientia eucharistiam, jam non sunt corruptibilia, spem resurrectionis habentia. Offerimus autem ei, non quasi indigenti, sed gratias agentes donationi ejus, et sanctificantes creaturam.

[63] Orig. cont. Cels. lib. 8. p. 399.

[64] Cyril. Catech. Myst. 5. n. 5.

[65] Liturg. Jacobi, Bibl. Patr. Gr. Lat. t. 2. p. 12.

[66] Chrys. Hom. 18. in 2 Cor. p. 873. It. Hom. 2. in 2 Cor. p. 739. Ὑπὲρ τῆς οἰκουμένης καὶ τῶν κοινῶν εὐχαριστοῦμεν ἀγαθῶν.

[67] Fulgent. de Fide ad Petrum, cap. 19. In isto autem sacrificio gratiarum actio, atque commemoratio est carnis Christi, quam pro nobis obtulit, sanguinis quem pro nobis idem Deus effudit.

[68] Ambros. de Sacrament. lib. 4. cap. 4. Consecratio igitur quibus verbis est, et cujus sermonibus? Domini Jesu. Nam reliqua omnia quæ dicuntur, laus Deo defertur, oratione petitur pro populo, pro regibus, pro cæteris. Ubi venitur ut conficiatur venerabile sacramentum, jam non suis sermonibus sacerdos, sed utitur sermonibus Christi.

that goes before, is either the glorification and praise of God, or prayer for the people, for kings, and the rest of mankind. But when the priest comes to the consecration of the holy sacrament, then he uses not his own words, but the words of Christ. By all which it is indisputably evident, that the consecration of the sacrament was ushered in with a solemn thanksgiving, or glorification of God, for all his gifts and benefits, whence the whole action had the name of εὐχαριστία, the eucharist or thanksgiving, because this was always premised as a necessary part of the sacred mystery; and the whole action and ceremony was concluded with another thanksgiving after communicating, as we shall see hereafter.

Sect. 10. Of the use of the *Trisagion*, or seraphical hymn, "Holy, holy, holy," in this thanksgiving.

At present we are to observe, that one part of this glorification or thanksgiving, was the hymn called the *Trisagion*, and *Epinicion*, the seraphical and triumphal hymn, "Holy, holy, holy, Lord God of hosts, heaven and earth are full of thy glory." This is evident from the last-mentioned passages of St. Cyril,[69] and St. Chrysostom,[70] who, in other places, gives a more particular account of the use of it at the Lord's table. Heretofore, says he, this hymn was only sung in heaven;[71] but after that the Lord vouchsafed to come down upon earth, he brought this melody to us also. Therefore the bishop, when he stands at this holy table, to present our rational service, and offer the unbloody sacrifice, does not simply call upon us to join in this glorification, but first naming the cherubims, and making mention of the seraphims, he then exhorts us all to send up these tremendous words; and withdrawing our minds from the earth by intimating with what company we make a quire, he cries out to every man, and says, as it were, in these words, "Thou singest with the seraphims, stand together with the seraphims, stretch forth thy wings with them, with them fly round the royal throne." In another place,[72] showing the obligation which the eucharist lays upon men to keep every member of the body pure from sin, the hands and mouth that receive it, the eyes that view it, the tongue that ministers in those mysteries and is dyed in blood, he argues thus particularly with respect to the ears: How absurd is it, after that mystical hymn, which was brought by the cherubims from heaven, to pollute your ears with songs of harlots, and the effeminate melodies of the theatre! Which plainly implies, that this seraphical hymn was one part of this great thanksgiving. He says the same in his first homily upon Isaiah:[73] The seraphims above sing the holy *Trisagion* hymn; the holy congregation of men on earth send up the same; the general assembly of celestial and earthly creatures join together; there is one thanksgiving, μία εὐχαριστία, one exultation, one quire of men and angels in one station rejoicing together. In another place, reproving those who stayed at the communion service, when they would not communicate, he tells them,[74] It was better that they should be absent, for they did but affront Him that invited them, whilst they stayed to sing the hymn, professing themselves to be of the number of the worthy, whilst they did not recede with the unworthy. How could you stay, and not partake of the table? I am unworthy, say you. If so, you are unworthy to communicate in prayers also. For it is not only the bare elements, but those hymns, that cause the Spirit to descend upon them. Though he does not here name the hymns, he plainly intimates, however, that they were commonly used in this part of the eucharistical service. And elsewhere[75] he speaks more plainly: The faithful, says he, know what are the hymns of the powers above; what the cherubims sing in heaven; what the angels sung, "Glory be to God in the highest." Therefore hymns come after the psalmody, as a thing of greater perfection. He means, that psalmody was only a part of the service of the catechumens; but these hymns were used by the τέλειοι, the communicants, in the service of the altar. He mentions the same in many other places,[76] which the reader may find above,[77] in the collection of the ancient liturgy out of St. Chrysostom's works: I will only repeat one passage more out of his homily upon the martyrs. The martyrs, says he,[78] are now joining in consort, and partaking in the mystical songs of the heavenly quire. For if, whilst they were in the body, whenever they communicated in the sacred mysteries, they made part of the quire, singing with the cherubims the *Trisagion* hymn, "Holy, holy, holy," as all ye that are initiated in the holy mysteries very well know; much more now, being joined with them whose partners they were in the earthly quire, they do with greater freedom partake in those solemn blessings and glorifications of God in heaven above. There needs no recourse now, after this, to be had to the liturgy of St. Chrysostom, to prove that this Divine hymn was always a part of the solemn thanksgiving, since it is more solidly proved out of his genuine writings. To which we may add Severianus[79] of

[69] Cyril. Catech. Myst. 5. n. 5.
[70] Chrys. Hom. 18. in 2 Cor. p. 873.
[71] Hom. in Seraphim, t. 3. p. 890.
[72] Hom. 21. ad Pop. Antioch. t. 1. p. 266.
[73] Hom. 1. in Esai. t. 3. p. 831.
[74] Hom. 3. in Ephes. p. 1052.
[75] Hom. 24. de Baptismo Christi, t. 1. p. 317.
[76] Hom. 4. de Incomprehensibili, t. 1. p. 374. Hom. 16. Si esurierit Inimicus, t. 5. p. 229. Hom. 3. de Pœnitent. t. 4. p. 562. Epist. 2. ad Olympiad. t. 4. p. 715. Hom. 14. in Ephes. p. 1127.
[77] Book XIII. chap. 6. [78] Hom. 74. de Mart. t. 1. p. 900.
[79] Hom. 37. de Filio Prodigo, inter Opera Chrysost. t. 6. p. 375.

Gabala for the Greek church, and the council of Vaison[80] for the Latin, which says, that in all communion services, whether they were morning services, or quadragesimal, or commemorations for the dead, the hymn, "Holy, holy, holy," should be used in the same order as in the public service.

Sect. 10. A particular thanksgiving for the mercies of God in the redemption of mankind by Christ.

Next after this, there follows in the Constitutions a particular enumeration of the mercies of God vouchsafed to mankind in the redemption of the world by the death of Christ, and a more special thanksgiving with respect to them; wherein also is contained a sort of creed, or summary of the chief articles of the Christian faith. Which was all the creed that the church in that age made use of in that service. For as yet the formal repetition of the baptismal creed was no part of the communion service, as it was in after ages, but only such doctrines were related as were the subject of a particular thanksgiving for the great mysteries of the incarnation and redemption. Thus it is represented in the Constitutions, with which St. Chrysostom exactly corresponds. For, commenting on those words of the apostle, "The cup of blessing which we bless, is it not the communion of the blood of Christ?" he brings in the apostle thus explaining himself: When I speak of a blessing, I unfold all the treasure of God's beneficence, and commemorate all his great and glorious gifts. And he adds, We also in offering the cup recite the ineffable mercies and kindness of God, and all the good things we enjoy: and so we offer it, and communicate; giving him thanks for that he hath delivered mankind from error; that he hath[81] made us near, who were afar off; that when we were without hope, and without God in the world, he hath made us the brethren of Christ, and fellow heirs with him. For these and all the like blessings we give him thanks, and so come to his holy table. We cannot have a plainer proof of a particular thanksgiving than this is, and therefore I shall seek for no further evidence in the case; but proceed to the immediate form of consecration.

Sect. 11. The form of consecration always composed of a repetition of the words of institution, and prayer to God to sanctify the gifts by his Holy Spirit.

Now, this anciently was not a bare repetition of those words, *Hoc est corpus meum*, This is my body, which for many ages has been the current doctrine of the Romish schools; but a repetition of the history of the institution, together with prayers to God, that he would send his Holy Spirit upon the gifts, and make them become the body and blood of Christ; not by altering their nature and substance, but their qualities and powers, and exalting them from simple elements of bread and wine to become types and symbols of Christ's flesh and blood, and efficacious instruments of conveying to worthy receivers all the benefits of his death and passion. Thus it is evidently set forth in the Constitutions, which, for the reader's ease, I will here again repeat: "We, therefore, in commemoration of these things[82] which Christ suffered for us, give thanks to thee, Almighty God, not as thou deservest, and as we ought, but as we are able, so fulfilling his command. For he, in the same night that he was betrayed, took bread in his holy and immaculate hands, and looking up to thee his God and Father, he brake it, and gave it to his disciples, saying, 'This is the mystery of the new testament; take of it, and eat it. This is my body, which is broken for many for the remission of sins. This do in remembrance of me. For as oft as ye eat this bread, and drink this cup, ye do show forth my death till I come.' We, therefore, being mindful of his passion, and death, and resurrection from the dead, and his return into heaven; and also of his second coming, when he shall return with glory and power to judge the quick and dead, and render to every man according to his works; do offer unto thee, our King and God, this bread and this cup, according to his appointment; giving thanks to thee by him, for that thou dost vouchsafe to let us stand before thee, and minister unto thee: and we beseech thee to look propitiously upon these gifts here set before thee, and to accept them favourably to the honour of thy Christ, and to send thy Holy Spirit upon this sacrifice, the Spirit that is witness of the suffering of the Lord Jesus, that it may make this bread become the body of thy Christ; that they who partake of it, may be confirmed in godliness, and obtain remission of sins; may be delivered from the devil and his impostures; may be filled with the Holy Ghost, and be made worthy of Christ, and obtain eternal life, thou being reconciled to them, O Lord Almighty."

Who sees not, that the consecration in this form is made by a repetition of the history of the institution, and prayer for the coming of the Holy Ghost on the elements to sanctify them? And for this there is the concurrent testimony of all antiquity. Justin Martyr[83] makes the consecration to consist in thanksgiving and prayers, which being ended, all the people answer, Amen. Irenæus says more expressly,[84] that it is done by invocation of God: for the bread, which is taken from the

[80] Conc. Vasens. 2. can. 3. Ut in omnibus missis, seu in matutinis, seu in quadragesimalibus, seu in illis quæ pro defunctorum commemoratione fiunt, semper Sanctus, sanctus, sanctus, eo ordine quo ad missas publicas dicitur, dici debeat.

[81] Chrys. Hom. 24. in 1 Cor. p. 532. So Cyprian. Ep. 113. p. 156. Passionis ejus mentionem in omnibus sacrificiis facimus.

[82] Constit. lib. 8. cap. 12. p. 402. [83] Justin. Apol. 2. p. 97

[84] Iren. lib. 4. cap. 34. Qui est a terra panis, percipiens invocationem Dei, jam non communis panis est, sed eucharistia.

earth, has the invocation of God upon it, and then it is no longer common bread, but the eucharist. Origen says,[85] it is sanctified by the word of God and prayer. Cyril of Jerusalem tells his catechumens, that before the invocation of the holy Trinity[86] the bread and wine of the eucharist is common bread and wine; but after the invocation it is no longer bare bread, but the body of Christ: as the holy oil is not bare oil after the invocation, but the gift of Christ. So again,[87] After we have sanctified ourselves by those spiritual hymns, we then pray the merciful God, that he would send forth his Holy Spirit upon the elements lying upon the altar, that he may make the bread the body of Christ, and the wine the blood of Christ. Which manifestly declares that the consecration was made by prayer and invocation. And the same is implied by St. Basil,[88] when he asks, Which of the saints hath left us in writing the words of the invocation, by which the bread of the eucharist and the cup of blessing is consecrated? Gregory Nyssen,[89] St. Basil's brother, says, the bread is sanctified by the word of God and prayer. Theophilus of Alexandria, that the bread and wine, which represent the Lord's body and blood upon the table, are consecrated by invocation and coming of the Holy Ghost[90] upon them. And Theodoret most plainly in one of his dialogues,[91] What do you call the gift that is offered, before the priest has made the invocation over it? Bread made of such seeds. What do you call it after sanctification? The body of Christ. The Latin fathers are as plain in their verdict. St. Ambrose[92] says, The sacraments which we take, are transformed into flesh and blood by the mystery of holy prayer. And Optatus,[93] describing the fury of the Donatists, asserts the same, when he asks them, what greater sacrilege they could be guilty of, than to pull down the altars of God, where God Almighty was invocated, and the Holy Spirit came down at the supplication of the priest? St. Jerom[94] says, it was the peculiar office of the presbyters to consecrate the body and blood of Christ by prayer. And again, that prayer was necessary for this purpose.[95] The author of the books De Sacramentis, under the name of St. Ambrose,[96] gives us the very form of words used in this prayer: Make this our oblation a chosen, rational, acceptable oblation, which is the figure of the body and blood of our Lord Jesus Christ. Juvencus[97] says, Christ himself consecrated it by prayer. And Gregory the Great[98] was of opinion, that the apostles used only the Lord's prayer as the form of their consecration. And Cyprian probably was of the same opinion; for he thinks, that petition in the Lord's prayer, "Give us this day our daily bread," may be understood both in a spiritual[99] and common sense, to denote the body of Christ, which is our bread, that we pray may be given us every day. A great many other fathers speak of the[100] benediction or thanksgiving as that which consecrates the eucharist. Which is not much different from this; for the thanksgiving was always a part of the eucharistical prayers. And therefore some join them both together, as Justin Martyr and Irenæus, in the places now mentioned. And so Origen[101] tells Celsus, that by thanksgiving and prayer they made bread a holy body, sanctifying such as received and eat it with a pure mind. And St. Austin, who in some places calls it barely the benediction[102] or thanksgiving, in other places says more expressly that the eucharist was consecrated by prayer: We call that the body of Christ,[103] which is taken from the fruits

[85] Orig. in Matt. xv. t. 2. p. 27. Sanctificatur per verbum Dei, perque obsecrationem.

[86] Cyril. Catech. Myst. 3. n. 3. Μετὰ τὴν ἐπίκλησιν τοῦ Ἁγίου Πνεύματος, οὐκ ἔτι ἄρτος λιτὸς, ἀλλὰ σῶμα Χριστοῦ, κ.τ.λ.

[87] Id. Catech. Myst. 5. n. 5.

[88] Basil. de Spir. Sancto, cap. 27.

[89] Nyssen. Orat. Catechetic. cap. 37.

[90] Theoph. Ep. Paschal. 1. Panem Dominicum, quo Salvatoris corpus ostenditur, &c., per invocationem et adventum Sancti Spiritus consecrari.

[91] Theodor. Dial. 2. t. 4. p. 85.

[92] Ambros. de Fide, lib. 4. cap. 5. Quotiescunque sacramenta sumimus, quæ per sacræ orationis mysterium in carnem transfigurantur et sanguinem, mortem Domini annunciamus.

[93] Optat. lib. 6. p. 93. Quid tam sacrilegum, quam altaria Dei frangere—quo Deus omnipotens invocatus sit, et postulatus descendit Spiritus Sanctus?

[94] Hieron. Ep. 85. ad Evagrium. Ad quorum preces Christi corpus sanguisque conficitur.

[95] Id. Com. in Zephan. cap. 3. p. 98. Εὐχαριστίαν imprecantis facere verba, &c.

[96] Ambros. de Sacram. lib. 4. cap. 5. Vis scire, quia verbis cœlestibus consecratur? Accipe quæ sunt verba. Dicit sacerdos: Fac nobis, inquit, hanc oblationem ascriptam, rationalem, acceptabilem, quod est figura corporis et sanguinis Domini nostri Jesu Christi.

[97] Juvencus, Hist. Evangel. lib. 4. Bibl. Patr. t. 8. p. 654. Sancteque precatus, discipulos docuit proprium se tradere corpus.

[98] Greg. lib. 7. Ep. 63. Orationem Dominicam idcirco mox post precem dicimus, quia mos apostolorum fuit, ut ad ipsam solummodo orationem oblationis hostiam consecrarent.

[99] Cypr. de Orat. p. 146. Quod potest et spiritaliter et simpliciter intelligi—quia Christus noster panis est. Hunc autem panem dari nobis quotidie postulamus.

[100] Tertul. cont. Marcion. lib. 1. cap. 23. Clem. Alex. Pædagog. lib. 2. cap. 2. Chrys. Hom. 82. in Mat. Victor. Antioch. in Marc. xiv. Facundus Hermianensis Defens. Trium Capitulor. lib. 9. Cyril. Alexandrin. Com. in Esa. xxv. item passim in Glaphyris super Genes. Exod. Levit. styles it *eulogia*, which is the same as eucharist or benediction. Vid. Albertin. de Eucharist. lib. 1. cap. 6. p. 21.

[101] Orig. cont. Cels. lib. 8. p. 390. Μετὰ εὐχαριστίας καὶ εὐχῆς, κ.τ.λ.

[102] Aug. Ep. 59. ad Paulin.

[103] Aug. de Trinitate, lib. 3. cap. 4. Corpus Christi dicimus illud, quod ex frugibus terræ acceptum, et mystica prece consecratum rite, sumimus ad spiritalem salutem, in memoriam Dominicæ pro nobis passionis.

of the earth, and consecrated by mystical prayer in a solemn manner, and so received by us unto salvation in memory of our Lord's suffering for us. And writing against the Donatists,[104] who denied the validity of the sacraments when they were consecrated and administered by sinners, he asks them, How then does God hear a murderer, when he prays either over the water of baptism, or the oil for unction, or over the eucharist, or over the heads of those that receive imposition of hands? Implying, that the consecration of the eucharist, as well as the rest of the things mentioned, was performed by prayer.

To this mighty cloud of witnesses, the Romanists have nothing material to oppose, but a few mistaken passages of the ancients, which the reader may find related with proper answers in that excellent book of Mr. Aubertine upon the Eucharist.[105] I shall only take notice of one, which carries the fairest pretence, out of Chrysostom, who in one of his homilies[106] speaks of the consecration after this manner: It is not man that makes the elements become the body and blood of Christ, but Christ himself that was crucified for us. The priest stands fulfilling his office, and speaking those words; but the power and grace is of God. Christ said, "This is my body:" this word consecrates the elements. And as that word which said, "Increase and multiply, and replenish the earth," was spoken but once, yet at all times is effectual in deed to strengthen our nature to beget children; so this word once spoken, from that time to this day, and until his coming again, perfects and consummates the sacrifice on every table throughout the churches. The meaning of which is not, as the Romanists mistake, that the pronouncing of these words by the priest is the thing that makes the sacrifice; but that Christ, by first speaking those words, gave power unto men to make his symbolical body; as by once speaking those words, "Increase and multiply," he gave them power to procreate children. Christ's words are the original cause of the consecration; but still prayer, and not the bare repetition of his words, is the instrumental cause and means of the sanctification. As Chrysostom himself says plainly in another place,[107] where he attributes the consecration of the elements to the invocation of the Spirit, and the Spirit's descent pursuant to such invocation. What meanest thou, O man? says he. When the priest stands by the holy table, lifting up his hands to heaven, and invocating the Holy Spirit, to come down and touch the elements, there should then be great tranquillity and silence. When the Spirit grants his grace, when he comes down, when he touches the elements, when thou seest the Lamb slain and offered, dost thou then raise a tumult and commotion, and give way to strife and railing? In which words, it is plain, Chrysostom attributes the consecration to the power of Christ and the Holy Spirit, as the principal and efficient cause; to prayer and supplication, as the instrumental cause, operating by way of condition and means, to sanctify the elements according to Christ's command, by a solemn benediction, and to the words, "This is my body," and "This is my blood," as spoken by Christ in the first institution, implying a declaration of what was then done, and what should be done by his power and concurrence to the end of the world. So that in all things relating to the consecration, we find the practice of the ancients exactly corresponding and agreeing to the order prescribed in the Constitutions. And whereas the author of the Constitutions makes it a very great part of the consecration prayer, that they who partake of the eucharist may be confirmed in godliness, and obtain remission of sins, may be delivered from the devil and his impostures, may be filled with the Holy Ghost, and be made worthy of Christ, and obtain eternal life; St. Chrysostom[108] evidently refers to such a prayer, when he says, In the oblation we offer up our sins, and say, "Pardon us whatever sins we have committed either willingly or unwillingly." We first make mention of them, and then ask pardon for them. And so it is in the liturgy which goes under St. Chrysostom's name: "We offer unto thee this rational and unbloody service, beseeching thee to send thy Holy Spirit[109] upon us and these gifts; make the bread the precious body of thy Christ, and that which is in the cup, the precious blood of thy Christ; transmuting them by thy Holy Spirit, that they may be to the receivers for the washing of their souls, for pardon of sins, for participation of the Holy Ghost, for obtaining the kingdom of heaven, for boldness towards thee, and not for judgment and condemnation."

Sect. 12. After this followed prayer for the whole catholic church.

Immediately after the consecration, followed prayer for the whole catholic church, as redeemed by the precious blood of Christ, which was then commemorated in the oblation and sacrifice of the altar. Thus it is represented in the Constitutions, and thus also in St. Chrysostom,[110] who, speaking of Eustathius, bishop of Antioch, says, he had the care

[104] De Baptismo, lib. 5. cap. 20. Quomodo ergo exaudit homicidam deprecantem, vel super aquam baptismi, vel super oleum, vel super eucharistiam, vel super capita eorum quibus manus imponitur?

[105] Albertin. de Eucharistia, lib. 1. cap. 7.

[106] Chrys. Hom. 30. de Proditione Judæ, t. 5. p. 463.

[107] Ibid. Hom. 32. in Cœmeterii Appellationem, t. 5. p. 487. It. de Sacerdot. lib. 6. cap. 4. p. 93. t. 4. Et de Sacerdot. lib. 3. cap. 4.

[108] Ibid. Hom. 17. in Hebr. p. 1870.

[109] Ibid. Liturg. t. 4. p. 614. It. p. 619. Συγχώρησόν μοι τῷ ἁμαρτωλῷ τὰ παραπτώματά μου τὰ ἑκούσιά τε καὶ ἀκούσια, κ.τ.λ.

[110] Ibid. Hom. 52. in Eustath. t. 1. p. 649.

of the whole church upon him; which he learned to be his duty from the prayers of the church. For if prayers ought to be made for the catholic church from one end of the earth to the other, much more did he think it his duty to show his concern for the whole church, and watch for their preservation. In another place[111] he says, The priest, when the sacrifice was offered, bid the people to pray, or give thanks rather, for the whole world, for those that were absent, and those that were present; for those that were before them, and for those that were then living, and for those that should be after them. And again,[112] he speaks of prayer for the world, the church, and the common peace and tranquillity of mankind. He says,[113] The priest prayed at the altar in the time of oblation for the whole city, and not for the whole city only, but for the whole world. So Cyril of Jerusalem[114] says, As soon as the spiritual sacrifice was offered, they besought God for the common peace of the church, and the tranquillity of the world, &c. And Vigilius,[115] in a letter to Justinian, reminds him, how it was customary, from ancient tradition, for all bishops, in offering the sacrifice, to beseech God to unite all men in the catholic faith, and to protect and keep it throughout the world. Nay, Optatus says,[116] the Donatists continued to use this prayer in the celebration of the sacramental mysteries, though their doctrine and practice were the absolute reverse of it. They said, they offered for the church, which was one, diffused over all the world; but their practice gave their prayers the lie; for they divided it into two, and confined the true church to a corner of Africa, and the party of Donatus. However, this shows it was the practice both of Donatists and catholics to pray for the universal church.

Sect. 13. More particularly for the bishops and clergy.

More particularly, they now repeated their prayers again for the bishops and clergy of the whole catholic church, and that church especially whereof they were members. Which is not only noted in the Constitutions, but by Epiphanius,[117] in his letter to John, bishop of Jerusalem, where he wipes off a slander, which some had falsely suggested to the bishop of Jerusalem, as if he had prayed publicly, that God would grant him an orthodox faith, implying that he was in error; which he denies, telling them, That however he might pray for him after that manner privately in his heart, yet he never did so in the oblation of the sacrifice; for in offering those prayers, according to the order of the holy mysteries, they were used to say both for him and all other bishops, "Keep him, O Lord, that preacheth the truth;" or else after this manner, "Preserve him, O Lord, and grant that he may preach the truth;" according as the occasion and order of prayer required. St. Chrysostom also takes notice of this solemn praying for bishops and the clergy, and among many other particulars, when the oblation was offered. Some, says he,[118] are so inconsiderate, dissolute, and vain, as to stand and talk, not only in the time of the catechumens, (that is, when prayers were made for them in the first service,) but also at the time of the faithful (or when their prayers were offered at the altar). And this, says he, is the subversion and ruin of all religion, that at that time when men ought chiefly to render God propitious to them, they go away provoking his wrath against them. For in the prayers of the faithful, we are commanded to supplicate the merciful God for bishops, for presbyters, for kings, for all that are in authority; for the earth and sea, for the temperature of the air or good weather, and for the whole world. When therefore we, who ought to have so much boldness and freedom as to pray for others, are not vigilant enough to pray for ourselves with an attentive mind, what excuse can we make? what pardon can we expect? We cannot desire a plainer evidence than this of Chrysostom, that all these things were the subject matter of their petitions, when the oblation was made upon the altar.

Sect. 14. For kings and magistrates.

And therefore hence it appears, that as they prayed for the bishops and the clergy, so they repeated their supplication for kings and magistrates in this prayer also. I have noted before[119] the several authors that take notice of their praying for kings in the prayers before the oblation, and here I will subjoin such as mention it in the oblation prayer. Eusebius, describing the dedication of the church which Constantine built at Jerusalem, says, some of the bishops then present made panegyrical orations upon Constantine's great respect for the common Saviour, and

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[111] Chrys. Hom. 26. in Mat. p. 259.

[112] Hom. 37. in Act. p. 329.

[113] Ibid. de Sacerdot. lib. 6. cap. 4. t. 3. p. 93.

[114] Cyril. Catech. Myst. 5. n. 6.

[115] Vigil. Ep. ad Justinian. Imperator. Conc. t. 5. p. 315. Omnes pontifices, antiqua in offerendo sacrificia traditione, deposcimus, ut catholicam fidem adunare, regere Dominum, et custodire toto orbe dignetur.

[116] Optat. lib. 2. p. 53. Vos illud legitimum in sacramentorum mysterio præterire non posse. Offerre vos dicitis pro ecclesia, quæ una est. Hoc ipsum mendacii pars est, unam vocare, de qua feceris duas. Et offerre vos dicitis pro una ecclesia, quæ sit in toto terrarum orbe diffusa, &c.

[117] Epiphan. Ep. ad Joan. Hierosol. p. 313. Dixerunt quod in oratione, quando offerimus sacrificia Deo, soleamus pro te dicere: Domine, præsta Joanni, ut recte credat. Noli nos in tantum putare rusticos, &c. Quando autem complemus orationem secundum ritum mysteriorum, et pro omnibus et pro te quoque dicimus: Custodi illum qui prædicat veritatem. Vel certe ita: Tu præsta Domine, et custodi, ut ille verbum prædicet veritatis, sicut occasio sermonis se tulerit, et habuerit oratio consequentiam.

[118] Chrys. Hom. 2. in 2 Cor. p. 745.

[119] Book XIII. chap. 10. sect. 5. Book XV. chap. i. sect. 3.

the magnificence of his temple; others preached upon points of divinity proper to the occasion; others explained the mystical sense of Scripture; and others, who could not attain to this, celebrated the mystical service, and offered the unbloody sacrifice to God, making prayers for the common peace[120] of the world, for the church of God, for the emperor himself, the founder of the church, and for his pious children. In like manner, Cyril of Jerusalem, describing the order of the communion service, says, After the spiritual sacrifice and the unbloody service of the propitiatory oblation is completed, we beseech God for the common peace of the churches, for the tranquillity of the world, for kings, for their armies, for their allies, for those that are sick and afflicted, and, in short, for all that stand in need of help and assistance. St. Chrysostom elsewhere mentions both private and public prayers[121] for kings, the latter of which may be understood of these prayers after the oblation, as well as any others. Arnobius says expressly,[122] they prayed at once for the magistrates, for their armies, for kings, for their friends, and for their enemies, for the living, and for the dead. Where his mentioning the dead plainly shows, that he speaks of those prayers which were made after the eucharist was consecrated, in which, as we shall see by and by, a particular commemoration was made of all those that were departed in the faith.

Sect. 15. For the dead in general.

Next after prayer for kings, followed prayer for the dead, that is, for all that were departed in the true faith in Christ; for so it is in the Constitutions: "We offer unto thee for all thy saints, that have lived well-pleasing in thy sight, from the foundation of the world, for patriarchs, prophets, holy men, apostles, martyrs, confessors, bishops, presbyters, deacons, subdeacons, readers, singers, virgins, widows, laymen, and all whose names thou knowest." And that this was the general practice of the church, to pray for all without exception, appears from the concurrent testimony of all the writers of the church. We have heard Arnobius say already,[123] that they prayed for the living and the dead in general. And long before him Tertullian[124] speaks of oblations for the dead, for their birth-days, that is, the day of their death, or a new birth unto happiness, in their annual commemorations. He says every woman[125] prayed for the soul of her deceased husband, desiring that he might find rest and refreshment at present, and a part in the first resurrection, and offering an annual oblation for him on the day of his death. In like manner[126] he says the husband prayed for the soul of his wife, and offered annual oblations for her. St. Cyprian often mentions the same practice, both when he speaks of martyrs and others For the martyrs they offered the oblation of prayer, and of praise and thanksgiving; for others, prayers chiefly. Those for the martyrs he calls oblations[127] and sacrifices of commemoration, which they offered especially on the anniversary days of their martyrdom,[128] giving God thanks for their victory and coronation. But for others they made solemn supplications and prayers, as appears from what he says of one Geminius Victor,[129] that because he had appointed a presbyter to be his executor contrary to law, no oblation should be made for his rest or sleep, nor any deprecation be used in his name according to custom in the church. The author under the name of Origen upon Job[130] says, They made devout mention of the saints, and their parents and friends, that were dead in the faith; as well to rejoice in their refreshment, as to desire for themselves a pious consummation in the faith. And Origen[131] himself says, They thought it convenient to make mention of the saints in their prayers, and to excite themselves by the remembrance of them. Cyril of Jerusalem, in describing the prayer after consecration, says, We offer this sacrifice in memory of all those that are fallen asleep before us,[132] first patriarchs, prophets, apostles, and martyrs, that God by their prayers and intercessions may receive our supplications; and then we pray for our holy fathers and bishops, and all that are fallen asleep before us, believing it to be a considerable advantage to their souls to be prayed for, whilst the holy and tremendous sacrifice lies upon the altar. Epiphanius disputes at large against the Aerians, who ridiculed all prayers for the dead. For they said, If the prayers of the living will advantage the dead, then it was no mat-

[120] Euseb. Vit. Constant. lib. 4. cap. 45.

[121] Chrys. Hom. 20. ad Pop. Antioch. t. 1. p. 258.

[122] Arnob. lib. 4. p. 181. Cur immaniter conventicula nostra dirui meruerint? In quibus summus oratur Deus, pax cunctis et venia postulatur magistratibus, exercitibus, regibus, familiaribus, inimicis, adhuc vitam degentibus, et resolutis corporum vinctione.

[123] Ibid. cited above.

[124] Tertul. de Coron. Militis, cap. 3. Oblationes pro defunctis, pro natalitiis, annua die facimus.

[125] De Monogamia, cap. 10. Pro anima ejus orat, et refrigerium interim adpostulat ei, et in prima resurrectione consortium, et offert annuis diebus dormitionis ejus.

[126] Exhortat. ad Castitat. cap. 11. Jam repete apud Deum pro cujus spiritu postules, pro qua oblationes annuas reddas.

[127] Cypr. Ep. 37. al. 22. ad Clerum, p. 28. Celebrentur hic a nobis oblationes et sacrificia ob commemorationes eorum.

[128] Ep. 34. al. 39. p. 77. Sacrificia pro eis semper, ut meministis, offerimus, quoties martyrum passiones et dies anniversaria commemoratione celebramus.

[129] Ep. 66. al. 1. p. 3. Non est quod pro dormitione ejus apud vos fiat oblatio, aut deprecatio aliqua nomine ejus in ecclesia frequentetur.

[130] Orig. in Job, lib. 3. t. 1. p. 437.

[131] Orig. lib. 9. in Rom. xii. t. 2. p. 607. Meminisse sanctorum sive in collectis solennibus, sive pro eo ut ex recordatione eorum proficiamus, aptum et conveniens videtur.

[132] Cyril. Catech. Myst. 5. n. 6

ter for being pious or virtuous; a man only needed to get his friends to pray for him after death, and he would be liable to no punishment, nor would his most enormous crimes be required of him. To whom Epiphanius replies, that they had many good reasons for mentioning the names of the dead; because it was an argument that they were still in being, and living with the Lord; because it was some advantage to sinners, though it did not wholly cancel their crimes; because it put a distinction between the perfection of Christ, and the imperfection of all other men: therefore they prayed for righteous men, fathers, patriarchs,[133] prophets, apostles, evangelists, martyrs, confessors, bishops, hermits, and all orders of men. And it appears from all the ancient liturgies, under the names of St. Basil, Chrysostom, Gregory Nazianzen, and Cyril,[134] that they prayed for all saints, the Virgin Mary herself not excepted. And it is remarkable, that in the old Roman Missal they were used to pray for the soul of St. Leo, as Hincmar,[135] a writer of the ninth age, informs us, who says the prayer ran in this form, "Grant, O Lord, that this oblation may be of advantage to the soul of thy servant Leo, which thou hast appointed to be for the relaxation of the sins of the whole world." But this was thought so incongruous in the following ages, that in the later Sacramentaries, or Missals, it was changed into this form, "Grant, O Lord, we beseech thee, that this oblation may be of advantage to us by the intercession of St. Leo," as Pope Innocent the Third[136] assures us it was in his time. And such another alteration was made in Pope Gregory's Sacramentarium. For in the old Greek and Latin edition[137] there is this prayer: "Remember, O Lord, all thy servants, men and women, who have gone before us in the seal of the faith, and sleep in the sleep of peace: we beseech thee, O Lord, to grant them, and all that rest in Christ, a place of refreshment, light, and peace, through the same Jesus Christ our Lord." But in the new reformed Missals[138] it is altered thus, "Remember, Lord, thy servants and handmaids N. and N. that have gone before us," &c.; that they might not seem to pray for saints as well as others that were in purgatory. Which makes it very probable, that St. Cyril's Catechism has also been tampered with, and a clause put in, which speaks of their praying to God by the intercession of patriarchs, prophets, apostles, and martyrs: since the ancient liturgies prayed for them as well as for all others. St. Chrysostom says expressly[139] they offered for the martyrs. And so it is in his Greek liturgy,[140] "We offer unto thee this reasonable service for the faithful deceased, our forefathers, fathers, patriarchs, prophets, and apostles, evangelists, martyrs, confessors, religious persons, and every spirit perfected in the faith; but especially for our most holy, immaculate, most blessed Lady, the Mother of God, and ever Virgin Mary." Though, as Bishop Usher[141] has observed, some of the Latin translators have also given a perverse turn to these words, rendering them thus, "We offer unto thee this reasonable service for the faithful deceased, our forefathers and fathers, by the intercession of the patriarchs, prophets, apostles, martyrs, and all the saints." For it sounded ill to the Latin ears to hear St. Chrysostom say, The ancient church prayed for saints and martyrs. And yet he says it, not only in the forementioned places, but over and over again in others. In his forty-first homily upon the First of Corinthians,[142] speaking against immoderate sorrow for the death of sinners, he says, They are not so much to be lamented, as succoured with prayers and supplications, and alms and oblations. For these things were not designed in vain, neither is it without reason that we make mention of those that are deceased in the holy mysteries, interceding for them to the Lamb that is slain to take away the sins of the world; but that some consolation may hence arise to them. Neither is it in vain, that he who stands at the altar when the tremendous mysteries are celebrated, cries, "We offer unto thee for all those that are asleep in Christ, and all that make commemorations for them." For if there were no commemorations made for them, these things would not be said.—Let us not therefore grow weary in giving them our assistance, and offering prayers for them. For the common propitiation of the whole world is now before us. Therefore we now pray for the whole world, and name them with martyrs, with confessors, with priests; for we are all one body, though one member be more excellent than another; and we may obtain a general pardon for them by our prayers, by our alms, by the help of those that are named together with them. He supposes here that the saints prayed for sinners, though, at the same time, the church prayed both for the saints and martyrs and sinners together. In another place[143] he says, Prayers were made in general for all those that were de-

[133] Epiphan. Hær. 75. Aerian. n. 3.

[134] See these quoted by Bishop Usher, Answer to the Challenge, p. 136. Et Dallæus de Pœnis et Satisfaction. lib. 5. cap. 8.

[135] Hincmar. de Prædestin. lib. 1. cap. 34. Annue nobis, Domine, ut animæ famuli tui Leonis hæc prosit oblatio, quam immolando totius mundi tribuisti relaxari delicta, t. 1. p. 297.

[136] Innoc. Epist. in Decretal. Gregor. lib. 3. Tit. 41. cap. 6. p. 1372. Annue nobis, quæsumus Domine, ut intercessione beati Leonis, hæc nobis prosit oblatio. Missal. Fest. Leonis, Jun. 28.

[137] Bibl. Patr. Gr. Lat. t. 2. p. 129.

[138] Missal. Roman. in Canone Missæ, p. 301.

[139] Chrys. Hom. 21. in Act. t. 4. Edit. Savil, p. 736.

[140] Chrys. Liturg. t. 4. p. 614.

[141] Usher's Answer to the Challenge, p. 136.

[142] Chrys. Hom. 41. in 1 Cor. p. 701.

[143] Ibid. Hom. 3. in Philip. p. 1225.

ceased in the faith, and none but catechumens dying in a voluntary neglect of baptism, were excluded from the benefit of them. At that time, says he, when all the people stand with their hands lift up to heaven, and all the company of priests with them, and the tremendous sacrifice lies upon the altar, how shall we not move God to mercy, when we call upon him for those that are deceased in the faith? I speak of them only: for the catechumens are not allowed this consolation, but are deprived of all assistance, except only giving alms for them. This, then, was a punishment inflicted upon the catechumens, of which Chrysostom speaks in other places;[144] and it appears to have been a settled rule by some ancient canons[145] of the church, of which I have had occasion to speak in a former Book,[146] to deny catechumens the benefit of the church's prayers after death. Chrysostom says again,[147] that a bishop is to be intercessor for all the world, and to pray to God to be merciful to the sins of all men, not only the living, but the dead also. Cassian says also the *biothanati*, as they called them, that is, men that laid violent hands upon themselves, were excluded from the benefit of the church's prayers. And therefore when one Hero, an old hermit, had by the delusions of Satan cast himself into a deep well, Paphnutius the abbot could hardly be prevailed upon to let him be reckoned any other than a self-murderer, and unworthy[148] of the memorial and oblation that was made for all those that were at rest in peace. Which is also noted in the council of Braga,[149] where catechumens and self-murderers are put in the same class together, as persons that deserved neither the solemnities of Christian burial, nor the usual prayers and commemoration that was made for the rest of Christians at the altar.

St. Austin indeed had a singular opinion in this matter about prayer for the dead; for he thought the martyrs were not properly to be prayed for as other men, because they were admitted to the immediate fruition of heaven. There goes a common saying under his name, (which Pope Innocent III. quotes as Holy Scripture,[150]) That he who prays for a martyr, does injury to the martyr, because they attained to perfection in this life, and have no need of the prayers of the church,[151] as all others have. Therefore he says,[152] when they were named at the altar, and their memorials celebrated, they did not commemorate them as persons for whom they prayed, as they did all others that rested in peace, but rather as men that prayed for the church on earth, that we might follow their steps, who had attained to the perfection of charity in laying down their lives for Christ, according to that aphorism of Christ himself, "Greater love than this hath no man, that he lay down his life for his friend." Upon this account St. Austin thought the oblations and alms, that were usually offered in the church for all the dead that had received baptism, were only thanksgivings for such as were very good;[153] and propitiations for those that were not very bad; and for such as were very evil, though they were no helps to them when they were dead, yet they were some consolation to the living. But, as Bishop Usher rightly observes,[154] this was but a harsh interpretation of the prayers of the church, to imagine that one and the same act of praying should be a petition for some, and for others a thanksgiving only. And therefore it is more reasonable to suppose, that the church designed to pray for all; especially since St. Austin[155] himself owns that the church made supplications for all that died in the society of the Christian and catholic faith, as all the ancient forms of prayer do manifestly evince beyond all possibility of exception.

Sect. 16. Upon what grounds the ancient church prayed for the dead, saints, martyrs, confessors, as well as all others.

Supposing, then, that the ancient church made prayers for saints and martyrs, as well as all others, it remains to be inquired, upon what grounds and reasons she observed this custom; whether upon the modern supposition of a purgatory fire, or upon other reasons more agree-

[144] Chrys. Hom. 24. in Joan. p. 159. Hom. 1. in Act. p. 14.

[145] Conc. Bracar. 1. can. 35.

[146] Book X. chap. 2. sect. 18.

[147] Chrys. de Sacerdot. lib. 6. cap. 4. Vid. Hom. 22. in Mat. p. 307.

[148] Cassian. Collat. 2. cap. 5. Vix a presbytero abbate Paphnutio potuit obtineri, ut non inter biothanatos reputatus, etiam memoria et oblatione pausantium judicaretur indignus.

[149] Conc. Bracar. 1. can. 35.

[150] Innoc. in Decretal. Gregorii, lib. 3. Tit. 41. cap. 5. Sacræ Scripturæ dicit auctoritas, quod injuriam facit martyri, qui orat pro martyre.

[151] Aug. Ser. 17. de Verbis Apostoli, t. 10. p. 132. Perfectio in hac vita nonnulla est, ad quam sancti martyres pervenerunt. Ideoque habet ecclesiastica disciplina, quod fideles noverunt, cum martyres eo loco recitantur ad altare Dei, ubi non pro ipsis oretur, pro cæteris autem commemoratis defunctis oratur. Injuria est enim pro martyre orare, cujus nos debemus orationibus commendari.

[152] Aug. Tract. 84. in Joan. t. 9. p. 185. Ad ipsam mensam non sic eos commemoramus, quemadmodum alios qui in pace requiescunt, sed magis ut (orent) ipsi pro nobis, ut eorum vestigiis adhæreamus, quia impleverunt ipsi charitatem, &c.

[153] Aug. Enchirid. ad Laurent. cap. 110. Cum ergo sacrificia sive altaris sive quarumcumque eleemosynarum pro baptizatis defunctis omnibus offeruntur, pro valde bonis gratiarum actiones sunt: pro non valde malis propitiationes sunt: pro valde malis etsi nulla sunt adjumenta mortuorum, qualescunque vivorum consolationes sunt. Quibus autem prosunt, aut ad hoc prosunt, ut sit plena remissio, aut certe tolerabilior fiat ipsa damnatio.

[154] Usher's Answer to the Challenge, p. 142.

[155] Aug. de Cura pro Mortuis, cap. 4. Non sunt prætermittendæ supplicationes pro spiritibus mortuorum: quas faciendas pro omnibus in Christiana et catholica societate defunctis, etiam tacitis nominibus quorumque, sub generali commemoratione suscepit ecclesia.

able to such a general practice? That she did not do it upon the supposition of purgatory, appears evidently from what has been already observed out of the public offices of the church, that she prayed for all the saints, martyrs, confessors, patriarchs, prophets, apostles, and even the Virgin Mary herself, and all other holy men and women from the foundation of the world, who were supposed to be in a place of rest and happiness, and not in any place of purgation or torment. And this appears further from the private prayers made by St. Ambrose[156] for the emperors Theodosius, and Valentinian, and Gratian, and his own brother Saturus; and the directions he gives to Faustinus,[157] not to weep for his sister, but to make prayers and oblations for her; for all these were persons of whom he had not the least doubt but that their souls were in rest and happiness. As all the funeral service of the ancients supposes, where they usually sung those verses of the Psalms, "Return again unto thy rest, O my soul, for the Lord hath rewarded thee:" and again, "I will fear no evil, because thou art with me:" and again, "Thou art my refuge from the affliction that compasseth me about." Which St. Chrysostom[158] often bids his hearers remember, that whilst they prayed for the deceased party, they should not weep and lament immoderately, as the heathen did, but give God thanks for taking him to a place of rest and security: which is utterly inconsistent with their going into the dreadful pains of purgatory. St. Austin both prayed in private for his mother Monicha,[159] and also speaks of the church's prayers for her at her funeral, and afterward at the altar; and yet he made no question of her going hence from a state of piety here to a state of joy and felicity hereafter. And after the same manner Gregory Nazianzen[160] prays God to receive the soul of his brother Cæsarius, who was lately regenerated by the Spirit in baptism. It is certain these prayers were not founded on a belief of a purgatory fire after death, but upon a supposition that they were going to a place of rest and happiness, which was their first reason for praying for them, that God would receive them to himself, and deliver them from condemnation. 2. Upon the same presumption, some of their prayers for the dead were always eucharistical, or thanksgivings for their deliverance out of the troubles of this sinful world. As appears not only from the forementioned testimonies of Chrysostom, but from the author under the name of Dionysius,[161] who, in describing their funeral service, speaks of the εὐχὴ εὐχαριστήριος, the eucharistical prayers, whereby they gave God thanks not only for martyrs, but all Christians that died in the true faith and fear of God. A third reason of praying for them was, because they justly conceived all men to die with some remainders of frailty and corruption, and therefore desired that God would deal with them according to his mercy, and not in strict justice according to their merits. For no one then was thought to have any real merit or title to eternal happiness, but only upon God's promises and mercy. St. Austin discourses excellently upon this point in the case of his mother Monicha, after this manner: "I now pour out unto thee, my God, another sort of tears for thy handmaid, flowing from a trembling spirit, in consideration of the danger that every soul is in that dies in Adam. For although she was made alive in Christ, and lived so in the days of her flesh, as to bring glory to thy name by her faith and practice: yet I dare not say, that from the time she was regenerated by baptism, no word came out of her mouth against thy command. And thou hast told us by Him who is truth itself, that 'whosoever shall say to his brother, Thou fool, shall be in danger of hell-fire.' And woe to the most laudable life of man, if thou shouldst sift and examine it without mercy! But because thou art not extreme to mark what is done amiss, we have hope and confidence to find some[162] place and room for indulgence with thee. But whoever reckons up his true merits before thee, what does he more than recount thy own gifts? Oh that all men would know themselves, and they that glory, glory in the Lord! I therefore, O my Praise and my Life, the God of my heart, setting aside a little her good actions, for which I joyfully give thee thanks, now make intercession for the sins of my mother. Hear me through the medicine of His wounds, who hanged upon the tree, and now sitteth at thy right hand to make intercession for us." He adds a little after, that he believed God had granted what he asked: yet he prays, "That the lion and the dragon might not interpose himself, either by his open violence or subtlety. For she would not answer, that she was no debtor, lest the crafty adversary should convict her and lay hold of her; but she would answer, that her sins were forgiven her by Him, to whom no man can return what he gave to us with-

[156] Ambros. de Obitu Theodosii. De Obitu Valentin. De Obitu Fratris.

[157] Ep. 8. ad Faustin.

[158] Chrys. Hom. 4. in Hebr. p. 1785. Hom. 29. de Dormientibus, t. 5. p. 423. Vid. Cassian. Collat. 2. cap. 5.

[159] Aug. Confess. lib. 9. cap. 12 et 13.

[160] Naz. Orat. 10. p. 176.

[161] Dionys. Eccles. Hierarch. cap. 7. p. 408.

[162] Aug. Confess. lib. 9. cap. 13. Væ etiam laudabili vitæ hominum, si remota misericordia discutias eam. Quia vero non exquiris delicta vehementer, fiducialiter speramus aliquem apud te locum invenire indulgentiæ. Quisquis autem tibi enumerat vera merita sua, quid tibi enumerat nisi munera tua? &c. Ego itaque, Laus mea et Vita mea, Deus cordis mei, sepositis paulisper bonis ejus actibus, pro quibus tibi gaudens gratias ago, nunc pro peccatis matris meæ deprecor te, &c. Et credo jam feceris quod te rogo, &c.

out any obligation. Let her therefore rest in peace with her husband; and do thou, my Lord God, inspire all those thy servants that read this, to remember thy handmaid Monicha at thy altar, with Patricius her consort." This was not a prayer for persons in the pains of purgatory, but for such as rested in peace, only without dependence upon their own merits, and with a humble reliance upon God's mercy, that he would not suffer them to be devoured by the roaring lion, nor deal extremely with them for the sins of human frailty. 4. Another like reason for these prayers, is that which we have heard before out of Epiphanius,[163] That it was to put a distinction between the perfection of Christ, and the imperfection of all other men, saints, martyrs, apostles, prophets, confessors, &c. He being the only person for whom prayer was not then made in the church. 5. They prayed for all Christians, as a testimony both of their respect and love to the dead, and of their own belief of the soul's immortality; to show, as Epiphanius words it in the same place, that they believed that they who were deceased were yet alive, and not extinguished, but still in being, and living with the Lord. 6. Whereas the soul is but in an imperfect state of happiness till the resurrection, when the whole man shall obtain a complete victory over death, and by the last judgment be established in an endless state of consummate happiness and glory; the church had a particular respect to this in her prayers for the righteous, that both the living and the dead might finally attain this blessed estate of a glorious resurrection. It is observed by some,[164] that there are some prayers yet extant in the Roman mass, which are conformable to this opinion, as that which prays, that "God would absolve the souls of his servants from every bond of sin, and bring them to the glory of the resurrection," &c.

All these were general reasons of praying for the dead, without the least intimation of their being tormented in the temporary pains of a purgatory fire. Besides which, they had some particular opinions, which tended to promote this practice. For, 1. A great many of the ancients believed, that the souls of all the righteous, except martyrs, were sequestered out of heaven in some place invisible to mortal eye, which they called *hades*, or paradise, or Abraham's bosom, a place of refreshment and joy, where they expected a completer happiness at the end of all things. This is the known opinion of Hermes Pastor, Justin Martyr, Pope Pius, Irenæus, Tertullian, Origen, Caius Romanus, Victorinus Martyr, Novatian, Lactantius, Hilary, Ambrose, Gregory Nyssen, Prudentius, Austin, and Chrysostom. Therefore, in praying for the dead, they may be supposed to have some reference to this, and to desire that the souls of the righteous thus sequestered for a time, might at last be brought to the perfect fruition of happiness in heaven. 2. Many of the ancients held the opinion of the millennium, or the reign of Christ a thousand years upon earth, before the final day of judgment: and they supposed, likewise, that men should rise, some sooner, some later, to this happy state, according to their merits and preparations for it. And therefore some of them prayed for the deceased on this supposition, that they might obtain a part in this resurrection, and a speedier admittance into this kingdom: it being reckoned a sort of punishment, not to be admitted with the first that should rise to this state of glory. Tertullian plainly refers[165] to this, when he says, Every little offence is to be punished by delaying men's resurrection. And therefore he says,[166] They were wont to pray for the souls of the deceased, that they might not only rest in peace for the present, but also obtain part in the first resurrection. And for this reason St. Ambrose[167] prayed for Gratian and Valentinian, that God would raise them with the first, and recompense their untimely death with a timely resurrection. And he says elsewhere,[168] That they that come not to the first resurrection, but are reserved unto the second, shall be burned until they fulfil the time between the first and second resurrection; or if they have not fulfilled that, they shall remain longer in punishment. Therefore let us pray, that we may obtain a part in the first resurrection. Bishop Usher[169] also shows out of some Gothic Missals, that the church had anciently several prayers directed to this very purpose. 3. Many of the ancients believed, that there would be a fire of probation, through which all must pass at the last day, even the prophets and apostles, and even the Virgin Mary herself not excepted. Which is asserted not only by Origen,[170] Irenæus[171] and Lactantius,[172] but also by St. Ambrose, who

[163] Epiphan. Hær. 75. Aerian. n. 7.

[164] Vid. Du Moulin, Novelty of Popery, lib. 7. c. i. p. 459.

[165] Tertul. de Anima, cap. 58. Modicum quodque delictum mora resurrectionis luendum, &c.

[166] De Monogam. cap. 10. Pro anima ejus orat, et refrigerium interim adpostulat ei, et in prima resurrectione consortium. Confer l. 3. cont. Marcion, cap. 24. Post mille annos, intra quam ætatem concluditur sanctorum resurrectio pro meritis maturius vel tardius resurgentium, &c.

[167] Ambros. de Obitu Valentin. ad finem. Te quæso, summe Deus, ut charissimos juvenes matura resurrectione suscites et resuscites; ut immaturum hunc vitæ istius cursum matura resurrectione compenses.

[168] Id. in Psal. i. Qui non veniunt ad primam resurrectionem, sed ad secundam reservantur, isti urentur donec impleant tempora inter primam et secundam resurrectionem: aut si non impleverint, diutius in supplicio permanebunt. Ideo ergo rogemus, ut in prima resurrectione partem habere mereamur.

[169] Usher, Answer to the Challenge, p. 151.

[170] Orig. Hom. 3. in Psal. xxxvi. p. 446.

[171] Iren. lib. 4. cap. 9.

[172] Lactant. lib. 7. cap. 21.

says[173] after Origen, That all must pass through the flames, though it be John the evangelist, though it be Peter. The sons of Levi shall be purged by fire,[174] Ezekiel, Daniel, &c. And these having been tried by fire, shall say, We have passed through fire and water. And St. Hilary, much after the same manner,[175] They that are baptized with the Holy Ghost, are yet to be perfected by the fire of judgment. For so he interprets those words of the evangelist, "He shall baptize you with the Holy Ghost and with fire." And again,[176] Do we desire the day of judgment, in which we must give an account of every idle word; in which those grievous punishments for expiating souls from sin must be endured? If the Virgin herself, who conceived God in her womb, must undergo the severity of judgment, who is so bold as to desire to be judged by God? There are many like passages in Gregory Nazianzen,[177] and Nyssen,[178] and St. Jerom,[179] and St. Austin,[180] which the Romish writers commonly produce for the fire of purgatory, whenas they plainly relate to this purging sacrament, as Origen[181] calls it, or, in St. Austin's language, the purging pains of the fire of judgment at the last day. And the fear of this was another reason of their praying for the dead. 4. Some of the ancients thought, likewise, that the prayers of the church were of some use to mitigate the pains of the damned souls, though not effectual for their total deliverance. And, lastly, that they served to augment the glory of the saints in happiness. St. Austin[182] says, they were of use to render the damnation of the wicked more tolerable. And this was the opinion of Prudentius,[183] and St. Chrysostom,[184] who advises men to pray for the dead upon this account, that it would bring some consolation to them, though but a little; or if none at all to them, yet it would be accepted of God as a pleasing sacrifice from those that offered it. And the like may be read in Paulinus,[185] and the author of the Questions to Antiochus under the name of Athanasius.[186] St. Chrysostom says[187] further, That their prayers and alms were of use to procure an addition to the rewards and retribution of the righteous. These are all the reasons we meet with in the ancients for praying for souls departed, none of which have any relation to their being tormented in the fire of purgatory, but most of them tend directly to overthrow it. Whence we may safely conclude, that though the ancients generally prayed for the dead, at least from the time of Tertullian, who first speaks of it; yet they did it not upon those principles, which are now so stiffly contended for in the Romish church. Which is also evident from many ancient forms still remaining in the Mass-book, and the liturgies of the modern Greeks, who continue to pray for the dead without any belief of purgatory, as it were easy to demonstrate out of their Rituals, but that it is wholly foreign to the design of the present discourse.

Sect. 17. A short account of the diptychs, and their use in the ancient church.

There is one thing more to be noted upon this matter, that some time before they made oblation for the dead, it was usual in some ages to recite the names of such eminent bishops, or saints, or martyrs, as were particularly to be mentioned in this part of the service. To this purpose they had certain books, which they called their holy books, and commonly their diptychs, from their being folded together, wherein the names of such persons were written, that the deacon might rehearse them, as occasion required, in the time of Divine service. Cardinal Bona[188] and Schelstrate make three sorts of these diptychs: one, wherein the names of bishops only were written, and more particularly such bishops as had been governors of that particular church: a second, wherein the names of the living were written, who were eminent and conspicuous either for any office and dignity, or some benefaction and good work, whereby they had deserved well of the church; in this rank were the patriarchs and bishops of great sees, and the bishop and clergy of that particular church; together with the emperors and magistrates, and others most conspicuous among the people: the third was, the book containing the names of such as were deceased in catholic communion. The first and the last of these seem to be much the same, and the consideration of them is only proper to this place. For the recital of the names of the living, as benefactors by their oblations, has been spoken of already,[189] and here we are only concerned

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173 Ambros. Ser. 20. in Psal. cxviii.

174 Id. Hom. 3. in Psal. xxxvi.

175 Hilar. in Mat. Canon. 2. p. 148. Quia baptizatis in Spiritu Sancto reliquum sit consummari igne judicii.

176 Id. Enarrat. in Psal. cxviii. voce Gimel, p. 254. Cum ex omni ocioso verbo rationem simus præstituri, diem judicii concupiscemus, in quo nobis est indefessus ignis obeundus: in quo subeunda sunt gravia illa expiandæ a peccatis animæ supplicia? &c.

177 Naz. Orat. 42.

178 Nyssen. De Dormientibus.

179 Hieron. in Esa. lxvi.

180 Aug. de Civ. Dei, lib. 20. cap. 25.

181 Orig. Hom. 14. in Luc. p. 223.

182 Aug. Enchirid. ad Laurent. cap. 110. Pro valde malis valere, ut tolerabilior sit damnatio.

183 Prudent. Cathemerinon. Carm. 5. de Cereo Paschali. Sunt et spiritibus sæpe nocentibus pœnarum celebres sub Styge feriæ, illa nocte sacer qua rediit Deus stagnis ad superos ex Acheronticis.

184 Chrys. Hom. 3. in Phil. p. 1225. Vid. Hom. 21. in Act. et Hom. 32. in Mat.

185 Paulin. Ep. 19.

186 Athanas. Quæst. ad Antioch. qu. 34.

187 Chrys. Hom. 32. in Mat. p. 307. Προσθήκη γένηται μισθοῦ καὶ ἀντιδόσεως.

188 Bona, Rer. Liturg. lib. 2. cap. 12. n. 1. Schelstrat. de Concilio Antiocheno, can. 2. cap. 6. p. 216.

189 Book XV. chap. 2. sect. 4. and Book II. chap. 20. sect. 5.

with the dead. Of this there is no mention made in the Constitutions, which seems to argue, that the custom of rehearsing the diptychs was not brought into the Rituals of that church whence the compiler of that book made his collections. But Cyprian[190] and Tertullian[191] speak of them under another name; and Theodoret mentions them in the case of St. Chrysostom, whose name for some time was left out of the diptychs, because he died excommunicate (though unjustly) by Theophilus, bishop of Alexandria, and other Eastern bishops, with whom the Western church would not communicate[192] till they had restored his name to the diptychs again. The author under the name of Dionysius[193] gives this account of them: That after the salutation of the kiss of peace, the diptychs were read, which set forth the names of those who had lived righteously, and had attained to the perfections of a virtuous life; which was done, partly to excite and conduct the living to the same happy state by following their good example; and partly to celebrate the memory of them as still living, according to the principles of religion, and not properly dead, but only translated by death to a more Divine life. It appears from this author, that these diptychs were then read before the consecration, immediately after the kiss of peace. And so it is in the Acts of the Council of Constantinople under Mennas, which makes frequent mention of them, and particularly in one place[194] notes the time of reading them, namely, after the reading of the Gospel and the creed: for by this time the creed was also become a part of the communion service in the Eastern church: therefore it is said, after the reading of the Gospel, when the communion service was begun, (not ended, as the Latin translation falsely renders it,) the creed was read according to custom, *τοῦ ἁγίου μαθήματος κατὰ τὸ συνηθὲς λεχθέντος*; (not the prayers and prefaces going before the oblation, as some learned men,[195] not understanding the true meaning of the word *μάθημα*, render it *lectio*, and interpret it prayers and prefaces, which most certainly[196] signifies the creed in this place;) then, after the reading of the creed, in the time of the diptychs, all the people ran and stood about the altar with great silence, to give attention; and when the deacon had named the four holy synods, and the archbishops of blessed memory, Euphemius, Macedonius, and Leo, they all with a loud voice cried out, "Glory be to thee, O Lord," and after that, with great tranquillity, the Divine service was piously performed. It is here observable, that the recital of the diptychs was before the consecration prayer, as it is represented in the hierarchy of Dionysius, (though in the Latin church it seems to have been otherwise,) and that now it was usual to mention the four first general councils, to show their approbation of them. Which may be also evidenced from one of Justinian's letters to Epiphanius, bishop of Constantinople, now extant in the Code,[197] wherein he assures him, that it was in vain for any one to trouble him upon any false hopes, as if he had done, or ever would do, or suffer any other to do, any thing contrary to the four councils, or allow the pious memory of them to be erased out of the diptychs of the church. These, therefore, were of use, partly to preserve the memory of such eminent men as were dead in the communion of the church, and partly to make honourable mention of such general councils as had established the chief articles of the faith: and to erase the names either of men or councils out of these diptychs, was the same thing as to declare that they were heterodox, and such as they thought unworthy to hold communion with, as criminals, or some ways deviating from the faith. Upon this account St. Cyprian ordered the name of Geminius Victor to be left out among those that were commemorated at the holy table,[198] because he had broken the rules of the church. And Evagrius observes[199] of Theodorus, bishop of Mopsuestia, that his name was struck out of the holy books, that is, the diptychs, upon the account of his heretical opinions, after death. And St. Austin, speaking of Cæcilian, bishop of Carthage, whom the Donatists falsely accused of being ordained by *traditores*, or men who had delivered up the Bible to be burned in time of persecution, tells them,[200] that if they could make good any real charge against him, they would no longer name him among the rest of the bishops, whom they believed to be faithful and innocent, at the altar.

Sect. 18. Next to the dead, prayer made for the living members of that particular church, and every order in it.

Having made this short digression concerning the diptychs of the church, I now return to the order of the service laid down in the Constitutions. Where, next after prayer for the dead, supplication is made for the living members of that particular church then assembled, and every distinct order of persons in it: "We offer unto thee for

[190] Cypr. Ep. 66. al. 1. ad Plebem Furnitan.

[191] Tertul. de Coron. Mil. cap. 3.

[192] Theod. lib. 5. cap. 34.

[193] Dionys. Eccles. Hierarch. cap. 3. p. 253 et 254.

[194] Conc. Constant. sub Menna, an. 536. Act. 5. Conc. t. 5. p. 181.

[195] Schelstrat. de Concil. Antioch. p. 217.

[196] See this proved before, Book X. chap. 3. sect. 3.

[197] Cod. Justin. lib. 1. Tit. 1. de Summa Trinitate, Leg. 7. Nullus frustra nos turbet, spe vana innixus, quasi nos contrarium quatuor conciliis fecerimus, aut fieri a quibusdam permittamus, aut aboleri eorundem sanctorum conciliorum piam memoriam ex ecclesiæ diptychis sustineamus. Vid. Evagrium, lib. 4. c. 4 et 11.

[198] Cypr. Ep. 66. al. 1. ad Pleb. Furnitan.

[199] Evagr. lib. 4. cap. 38. Ἐκ τῶν ἱερῶν ἀπηλείφει δέλτων, κ.τ.λ.

[200] Aug. Serm. 37. ex editis a Sirmondo, t. 10. p. 840. Inventus sit prorsus reus, &c., deinceps eum ad altare inter episcopos, quos fideles et innocentes credimus, non recitabimus.

this people,[201] that thou wouldst make them, to the glory of thy Christ, a royal priesthood and a holy nation; for all that live in virginity and chastity; for the widows of the church; for all that live in honest marriage; for the infants of thy people; that none of us may be a cast-away; we pray thee for this city, and all that dwell therein." St. Austin likewise speaks[202] of these prayers at the altar, for the faithful, that they by the gift of God may persevere in that wherein they have begun. Again,[203] Who ever heard the priest praying over the faithful, and saying, "Grant, O Lord, that they may persevere in thee unto the end," and durst either in word or thought reprehend that prayer, and not rather answer Amen to such a benediction? Chrysostom in like manner, describing the bishop's office, says,[204] It is his business to pray for a whole city, and not for a whole city only, but as an ambassador for the whole world, that God would be propitious and merciful both to the sins of the living and the dead. Which makes it the more probable, that the prayers of the like kind that occur in St. Chrysostom's liturgy,[205] are but a copy of such prayers as were then commonly used in the ancient church.

Sect. 19. For those that are in sickness, slavery, banishment, and proscription, and that travel by sea or by land.

The next petition in the Constitutions is, for all that are in affliction, whether by sickness, or slavery, or banishment, or confiscation and proscription: and for all that are exposed to any perils upon the account of their necessary travels by sea or by land. Of these petitions I find no particular mention made in other writers, save only in Cyril of Jerusalem, who says,[206] After they had prayed for the common peace of the church, and the tranquillity of the world, for kings, and for their armies and allies, they also besought God for all that were sick and afflicted, or in any kind of want: and last of all they prayed for the dead. By which we may judge, that though the order of the petitions was a little varied in the liturgies of different churches, yet the substance was the same. And there is little question but the sick and distressed were remembered in these prayers in all the churches; since in the deacon's bidding prayer before the oblation, there is express direction given to the people, to pray for the sick, and those that travel by sea or by land, and those that are in the mines, in banishment, in prison, in bonds, and in slavery, as I have showed out of several passages in St. Chrysostom, St. Basil, and St. Austin, comparing them with the form of bidding prayer for the whole state of Christ's church in the Constitutions, related before in the first chapter of this Book, sect. 2 and 3.

Sect. 20. For enemies and persecutors, heretics and unbelievers.

The next petition in the Constitutions is, for their enemies and persecutors, for heretics and unbelievers, those that are without the pale of the church, and wandering in error; that God would convert them to good, and mitigate their fury. And of this there are frequent examples in the writings of the ancients. For nothing was more strictly observed by the ancients, than to pray for their enemies and persecutors, for Jews, infidels, and heretics; of which Dr. Cave[207] has given several instances out of Cyprian,[208] Justin Martyr,[209] and Irenæus.[210] Which because they may seem only to refer to their private prayers, I will add a few more which more expressly relate to their public devotions. Tertullian[211] tells the heathen, they were taught by the Scriptures (which they themselves might read) to exhibit a more than ordinary kindness toward men, in praying to God for their enemies, and wishing all good to their persecutors. For they had no greater enemies or persecutors in those days than those very emperors for whom they made supplications to God[212] as oft as they met in public, and for their officers, and for the state of the world, and for the peace and tranquillity of their affairs, and for the duration of their empire. Arnobius says their churches were oratories,[213] wherein they prayed for peace and pardon, for the magistrates and princes, for their armies, for their friends, and for their enemies. St. Austin[214] particularly notes, that the priest was wont to exhort the people at the altar to pray for unbelievers, that God would convert them to the faith. And again, When does not the church[215] pray for infidels and her enemies, that they may believe? In like manner Pope Celestine[216] says, The whole church prayed

[201] Constit. lib. 8. cap. 12.

[202] Aug. Ep. 107. ad Vitalem. Pro fidelibus, ut in eo quod esse cæperunt, ejus munere perseverent.

[203] De Dono Perseverantiæ, cap. 23. t. 7. p. 571. Quis sacerdotem super fideles Dominum invocantem, si quando dixit, Da illis Domine in te perseverare usque in finem, non solum voce ausus est, sed saltem cogitatione reprehendere, ac non potius super ejus talem benedictionem et corde credente et ore confitente respondit, Amen?

[204] Chrys. de Sacerdot. lib. 6. cap. 4. p. 93.

[205] Chrys. Liturg. t. 3. p. 616.

[206] Cyril. Catech. Myst. 5. n. 6.

[207] Cave, Prim. Christ. part 3. chap. 2. p. 242.

[208] Passio Cypriani.

[209] Justin. Dial. cum Tryphon. p. 254, 323, 363.

[210] Iren. lib. 3. cap. 46.

[211] Tertul. Apol. cap. 31.

[212] Ibid. cap. 39. Coimus in cœtum—Oramus pro imperatoribus, pro ministris eorum, pro statu sæculi, pro rerum quiete, pro mora finis.

[213] Arnob. lib. 4. p. 181.

[214] Aug. Ep. 107. ad Vitalem. Audis sacerdotem Dei ad altare exhortantem populum Dei, orare pro incredulis, ut eos Deus convertat ad fidem, &c.

[215] De Dono Perseverantiæ, cap. 23. Quando non oratum est in ecclesia pro infidelibus atque inimicis ejus ut crederent?

[216] Cœlestin. Ep. 1. ad Gallos, cap. 11. Postulant et precantur, ut infidelibus donetur fides, ut idololatræ ab impietatis suæ liberentur errore, ut Judæis, ablato cordis velamine, lux veritatis appareat, ut hæretici catholicæ fidei perceptione resipiscant, ut schismatici spiritum redivivæ charitatis accipiant, &c.

with the priests for infidels, that faith might be given unto them; for idolaters, that they might be delivered from the errors of their impiety; for Jews, that, the veil being taken away from their heart, the light of truth may appear unto them; for heretics, that they may repent by returning to the catholic faith; for schismatics, that they may receive the spirit of charity reviving from the dead. And the same is repeated by Gennadius,[217] or whoever was the author of the book De Ecclesiasticus Dogmatibus under the name of St. Austin. And in both places it is said, that this practice was derived from the apostles, and uniformly observed in the whole catholic church throughout the world. Nay, it is evident they prayed for many heretics, whom they looked upon as guilty of the sin against the Holy Ghost. For they did not esteem that sin absolutely unpardonable, but only punishable in both worlds, on supposition that men did not repent of it. Therefore St. Austin[218] and others say, they prayed that they might repent and be saved; and accordingly admitted them to the peace and communion of the church upon their repentance. In a word, as Chrysostom says,[219] they prayed for the whole world without exception; they prayed that all men whatsoever might be converted.

Sect. 21. For the catechumens, energumens, and penitents.

Next after heretics and unbelievers, prayer is made in the Constitutions for the catechumens of the church, that God would perfect them in the faith; for the energumens, that were vexed with evil spirits, that God would cleanse and deliver them from the power and agitation of the wicked one; and for the penitents, that God would accept their repentance, and pardon both them and the whole church whatever offences they had committed against him. Whence we may observe, that these several orders were three distinct times prayed for in Divine service; first, in the prayers that were said for them in their presence, in the first service, called the service of the catechumens; secondly, in the deacon's bidding prayer for the whole state of the church before the oblation; and now again, thirdly, after the oblation, when all orders of men were prayed for at the sacrifice of the altar. This last is particularly noted by St. Austin,[220] who says, The priest at the altar was used to exhort the people to pray for the catechumens, that God would inspire them with a desire of regeneration. And so it is said by Celestine[221] and Gennadius[222] in the same words, that they prayed for the lapsers, that God would grant them the remedy of repentance; and for the catechumens, that God would bring them to the sacrament of baptism, and open to them the great treasure of his heavenly mercy.

Sect. 22. For healthful and fruitful seasons.

In the next place they prayed for health and provision; for the temperature of the air, and the increase of the fruits of the earth, as the Constitutions word it, that they, participating of the good things which God bestows upon men, might, without ceasing, praise him, who giveth food to all flesh. St. Chrysostom, among other particulars of this prayer, notes the same,[223] when he says, They prayed for the earth and sea, for the air, and for the whole world. And though Tertullian does not particularly speak of this prayer, yet he intimates in general, that they were used to pray for temporal blessings, and among these for rain, as in the German expedition of Marcus Aurelius, when his army was saved from perishing for want of water by the prayers of the Christians, which never failed[224] to drive away drought upon other occasions. The like observation is made by Cyprian,[225] that they offered continually supplications and prayers night and day for victory over their enemies, for obtaining rain, for averting or moderating all adversities, and for the peace and safety of the public. Which being their continual prayer night and day, it is not to be doubted but that it was a part of those prayers which they now more solemnly offered at the altar.

Sect. 23. For all their absent brethren.

The last petition mentioned in the Constitutions, is for all those that, upon just and reasonable cause, were then absent from the assembly, that God would preserve both the absent and present in godliness, and keep them without change, blame, or rebuke, and finally gather them all into the kingdom of his Christ, the universal King, and God of all things in nature, both visible and invisible. The like petition is mentioned by Chrysostom, in one of his homilies upon St. Matthew,[226] according to the old

[217] Gennad. de Eccles. Dogmat. cap. 30.

[218] Aug. Retractat. lib. 1. cap. 19. De quocunque pessimo in hac vita constituto non est utique desperandum; nec pro illo imprudenter oratur, de quo non desperatur.

[219] Chrys. Hom. in 1 Thess. p. 1413. Hom. 6. in 1 Tim. p. 1550.

[220] Aug. Ep. 107. ad Vitalem. Audis sacerdotem Dei ad altare exhortantem populum Dei, orare pro incredulis ut eos Deus convertat ad fidem, et pro catechumenis ut eis desiderium regenerationis inspiret.

[221] Celestin. Ep. 1. ad Gallos, cap. 2. Postulant et precantur, ut lapsis pœnitentiæ remedia conferantur; ut denique catechumenis ad regenerationis sacramenta perductis, cœlestis misericordiæ aula reseretur.

[222] Gennad. de Eccles. Dogmat. cap. 30.

[223] Chrys. Hom. 2. in 2 Cor. p. 745.

[224] Tertul. ad Scapul. cap. 4. Quando non geniculationibus et jejunationibus nostris siccitates sunt depulsæ?

[225] Cypr. ad Demetrian. p. 193. Pro arcendis hostibus et imbribus impetrandis, et vel auferendis vel temperandis adversis, rogamus semper et preces fundimus, &c.

[226] Chrys. Hom. 26. in Matt. p. 259. Altari assistens sacerdos, pro universo orbe terrarum, pro absentibus atque præsentibus, pro his qui postea futuri sunt, sacrificio illo proposito, Deo nos gratias jubet offerre.

translation of Anianus: The priest, says he, when he stands at the altar, bids us give thanks for the whole world, for those that are absent, and those that are present, for those that are gone before us, and those that shall be after us, while the sacrifice lies upon the altar.

Sect. 24. Concluding with a doxology to the whole Trinity.

The conclusion of this long prayer in the Constitutions, is a doxology to the whole Trinity: and this was of old the constant custom of the church. as is evident from what has been largely discoursed before,[227] both concerning the adoration of the whole Trinity as the true and only object of Divine worship, and also concerning the use of Divine hymns and doxologies to the Father, Son, and Holy Ghost. Of which I need say no more in this place to confirm the order laid down in the Constitutions, save only to observe, that two of the most ancient writers we have, Irenæus and Tertullian,[228] do both mention one part of this doxology, as particularly used at the consecration of the eucharist. Irenæus says the Valentinians made it an argument for their *æones*, that the catholics used to say *εἰς αἰῶνας τῶν αἰώνων* in their eucharistical service; referring to the last words of this doxology, "world without end." And Tertullian particularly asks those who frequented the Roman games, how they could give testimony to a gladiator, with that mouth wherewith they had answered Amen at the eucharist? or say "world without end" to any other but Christ their God? implying, that the glorification of Christ with this doxology was then a noted close of the consecration prayer, as the author of the Constitutions represents it.

Sect. 25. To which the people with one voice answered, Amen.

And from this passage of Tertullian it is no less apparent, that the people were used to subjoin their Amen to the end of this prayer. Which was a custom as ancient as the apostles. For St. Paul seems plainly to allude to it, 1 Cor. xiv. 16; "When thou shalt bless with the spirit," that is, bless the cup of blessing, or the eucharist, in an unknown tongue, "how shall he that occupieth the room of the unlearned say Amen at thy giving of thanks, seeing he understandeth not what thou sayest?" Justin Martyr,[229] in describing the Christian rites in celebrating the eucharist, takes notice of this among the rest, that when the president had ended his prayers and thanksgivings over the bread and wine, all the people assented with their acclamations, saying, Amen. And Dionysius of Alexandria,[230] speaking of one who had never been truly baptized, but had often notwithstanding been partaker of the eucharist, says, They would not rebaptize him, because he had for a long time heard the thanksgiving, and joined with the people in the common Amen. And so Chrysostom, interpreting those words of the apostle, "How shall he that occupieth the room of the unlearned say Amen at thy giving of thanks, seeing he understandeth not what thou sayest?" plainly refers to this custom: for he says, *ἰδιώτης*, which we render "unlearned," signifies a private man or layman: and if thou blessest in an unknown tongue,[231] not understanding what thou sayest, nor being able to interpret it, the layman cannot answer Amen; for he, not hearing those words, "world without end," which is the close of the thanksgiving, cannot say Amen. Where we may observe, both that the consecration prayer ended with a known doxology to the holy Trinity, whereof those words, "world without end," were a part; and that the people hearing them answered Amen.

Sect. 26. Then followed the creed in such churches as had made it a part of their liturgy.

There is no mention made in the Constitutions of the formal rehearsing either of the creed or the Lord's prayer in this place immediately after consecration: and the reason is, that when that author made his collections, it was not yet become the custom to use the creed in any other service, but only that of baptism, in any church whatsoever. The first that brought the rehearsing of the creed into the liturgy, was Peter Fullo, bishop of Antioch, about the year 471. And after that, about the year 511, Timotheus, bishop of Constantinople, brought it into use in the liturgy of that church, as we learn from the history of Theodorus Lector.[232] After that we find it mentioned in the council of Constantinople under Mennas, anno 536, as being rehearsed[233] according to custom between the reading of the Gospel and the diptychs. After this, about the year 589, it was brought into the Spanish church at the petition of King Recaredus, by the order of the third council of Toledo, and that after the example of the Eastern churches: and then it was ordered to be said[234] with a loud voice after the consecration, immediately before the Lord's prayer, to be an instruction and declaration of the people's true faith, who were lately converted from Arianism, and to prepare their hearts, thus purified by faith, to the following reception of the body and

[227] Book XIII. chap. 2. Book XIV. chap. 2. sect. 1.

[228] Iren. lib. 1. cap. 1. Tertul. de Spectac. cap. 25. Quale est——ex ore quo Amen in sanctum protuleris, gladiatori testimonium reddere? *εἰς αἰῶνας* alii omnino dicere, nisi Deo Christo? See Chrysostom, Hom. 35. in 1 Cor. in the next section.

[229] Justin. Apol. 2. p. 97. [230] Ap. Euseb. lib. 7. cap. 9.

[231] Chrys. Hom. 35. in 1 Cor. p. 640.

[232] Theodor. Lector. lib. 2. p. 563 et 566.

[233] Conc. Constant. sub Menna, Act. 1. p. 41. edit. Crab. quæ est Act. 5. edit. Labbe.

[234] Conc. Tolet. 3. can. 2. Consultu Reccaredi regis constituit synodus, ut per omnes ecclesias Hispaniæ et Galliciæ, secundum formam Orientalium ecclesiarum, concilii Constantinopolitani, hoc est, centum quinquaginta episcoporum symbolum fidei recitetur: et priusquam Dominica dicatur oratio, voce clara prædicetur, quo fides vera manifesta sit et testimonium habeat, &c.

blood of Christ. It was not thus used in the Gallican liturgy till the time of Charles the Great; nor in the Roman liturgy, till the beginning of the eleventh century, as I have more fully showed[235] in a former Book. But as it had earlier admittance in the Spanish churches, so the rehearsal of it appears to have been appropriated to the time after consecration, between that and the Lord's prayer, which in most churches they were used to repeat also toward the conclusion of these prayers following the oblation.

Sect. 27. And the Lord's prayer.

For though there be no mention made of the Lord's prayer in this part of the service in the Constitutions, (as probably not in use in that church whence the author made his collections,) yet we are assured it was almost generally used in all churches. For not only the forementioned council of Toledo, and the fourth of the same name,[236] speak of the Lord's prayer as coming before the reception of the bread and wine in the Spanish churches; but St. Austin says,[237] the whole church almost concluded the oblation prayers with it. And I have already confirmed his observation from several other passages of St. Chrysostom, and Cyril of Jerusalem, and St. Jerom, and Gregory the Great,[238] who was also of opinion that the apostles used no other prayer to consecrate the eucharist,[239] but the Lord's prayer. In which he was something singular. For there is little question, but that the apostles consecrated as the Lord had done before them. As to the practice of the church in using the Lord's prayer at this time, Optatus[240] says it was become so customary by necessary prescript, that the Donatists themselves did not pretend to omit it. And in some of the French councils[241] an order was made, That no layman, even of those that did not communicate, should leave the assembly before the Lord's prayer was said.

Sect. 28. Absolution of penitents immediately before the Lord's prayer, with occasional benedictions.

It appears, from the last-mentioned place of Optatus, that when any penitents were to receive a solemn absolution, in the African church, it was usually given them about this time, between the offering of the oblation and the Lord's prayer. For he tells the Donatists,[242] that the very moment after they had given penitents imposition of hands and pardon of sins, they were obliged to turn to the altar, and say the Lord's prayer; which implies that absolution was commonly given at this season. And here we may suppose several of those prayers of thanksgiving or benediction, mentioned in the seventh and eighth Books of the Constitutions, to have had their place, such as the benediction of the holy oil, and the thanksgiving for the first-fruits of the earth:[243] there being no time more proper for such things, than the time of the oblation. But as nothing is said positively and expressly of this matter, I only mention it by way of conjecture.

Sect. 29. Benediction after the Lord's prayer.

But there is more evidence of another sort of benediction following the Lord's prayer in many of the Western churches. For the third council of Orleans[244] had a canon, which orders all laymen to stay till they had heard the Lord's prayer, and received the bishop's benediction. Cardinal Bona[245] understands this of the final benediction, which followed the communion; but Mabillon more truly interprets it of the benediction before communion,[246] immediately following the Lord's prayer. Concerning which there is a canon in the council of Toledo[247] which censures some priests for communicating immediately after the Lord's prayer, without giving the benediction to the people; and orders, That for the future, the benediction should follow the Lord's prayer, and after that the communion. And by this we are to interpret some[248] other canons of the councils of Agde and Orleans, which order the people not to depart till the bishop has given his benediction; which is to be understood of the benediction before the communion, and not that which came after it. And this agrees with the order in the Constitutions; where, after the long prayer of the consecration and oblation is ended,[249] the bishop is appointed to give this short benediction, "The peace of God be with you all:" and then, after the deacon has rehearsed a bidding prayer, (much to the same purpose with the former, for the whole church, and every order in it, and particularly for the sacrifice then offered, that God would receive it to his altar in heaven, for a sweet-smelling savour, by the mediation of Christ,) the bishop again recommends the people to God in another prayer, which the Greeks call *παράθεσις*, and

[235] Book X. chap. 4. sect. 17.

[236] Conc. Tolet. 4. can. 18. [237] Aug. Ep. 59. ad Paulin.

[238] See these cited at large, Book XIII. chap. 7. sect. 3.

[239] Greg. lib. 7. Ep. 64. Orationem Dominicam idcirco mox post precem dicimus, quia mos apostolorum fuit, ut ad ipsam solummodo orationem oblationis hostiam consecrarent.

[240] Optat. lib. 2. p. 57.

[241] Conc. Aurelian. 3. can. 28. De missis nullus laicorum ante discedat, quam Dominica dicatur oratio, &c.

[242] Optat. ibid. Inter vicina momenta, dum manus imponitis, et delicta donatis, mox ad altare conversi, Dominicam orationem prætermittere non potestis.

[243] Vid. Constit. lib. 7. cap. 42. Lib. 8. cap. 40.

[244] Conc. Aurel. 3. can. 28. De missis nullus laicorum ante discedat, quam Dominica dicatur oratio, et si episcopus fuerit præsens, ejus benedictio expectetur.

[245] Bona, Rer. Liturg. lib. 2. cap. 16. n. 2.

[246] Mabil. de Liturg. lib. 1. cap. 4. n. 14.

[247] Conc. Tolet. 4. can. 18. Nonnulli sacerdotes post dictam orationem Dominicam statim communicant, et postea benedictionem in populo dant: quod deinceps interdicimus: sed post orationem Dominicam benedictio in populum sequatur, et tunc demum corporis et sanguinis Dominici sacramentum sumatur.

[248] Conc. Agathen. can. 44 et 47. Conc. Aurel. 3. can. 28.

[249] Constit. lib. 8. cap. 13.

the Latins, *commendatio*, and *benedictio*, the commendation, or benediction, beseeching God to sanctify their bodies and souls, and to make them worthy of the good things he has set before them; which relates both to their worthy reception of the eucharist, and their obtaining eternal life. This is what I conceive those Latin councils call the bishop's benediction, of which there are some instances in the Mosarabic liturgy, and many more in the old Gothic and Gallican Missals lately published by Mabillon, where the prayer that follows the collect after the Lord's prayer, is always styled, *benedictio populi*, the benediction of the people: and these are commonly different prayers, composed with some respect to the several festivals to which they were appropriated, like the collects before the Epistles and Gospels in our present liturgy. But I return to the ancient service.

Sect. 30. Of the deacon's bidding prayer after the consecration.

There is one petition in the deacon's bidding prayer after the consecration in the Constitutions, which is not to be passed over in silence; that is, that God would receive the gift that was then offered to him, to his altar in heaven, as a sweet-smelling savour, by the mediation of his Christ. This form seems as ancient as Irenæus: for he says, We have an altar[250] in heaven, and thither our prayers and oblations are directed. And so it is in all the Greek liturgies, with a small variation. And frequently in the Mozarabic liturgy,[251] and the old Gothic Missal published by Mabillon,[252] there are prayers for the descent of the Holy Ghost to sanctify the gifts, and make them the body and blood of Christ, even after the repetition of the words, "This is my body," and, "This is my blood;" which evidently shows, that the ancient formers of the liturgy did not think the consecration to be effected by the bare repetition of those words, but by prayer for the descent of the Holy Ghost upon the elements of bread and wine. And it is very remarkable, that even in the present canon of the Roman Mass, there is still such a prayer as this remaining after what they call consecration: the priest offering the host says, "Be pleased to look upon these things with a favourable and propitious eye,[253] as thou wert pleased to accept the gifts of Abel thy righteous servant." He adds, "We beseech thee, Almighty God, to command that these things may be carried by the hands of thy holy angels to thy altar on high." Concluding, "By Christ our Lord, by whom thou dost always create, sanctify, quicken, and bless these good things unto us." These words in this prayer, as our polemical writers[254] have rightly observed, were used before transubstantiation was invented, and when the consecration was thought to be made by prayer, and not barely by pronouncing the words, "This is my body." And then they were good sense, when they were said over bread and wine, to consecrate them into the memorial and symbols of Christ's body and blood. But now they are become absurd, and contrary to the primitive intention. For how can the real body and blood of Christ be called these gifts? or be compared to the sacrifice of Abel, who offered a beast? How can men pray (without indignity to the Son of God) that the sacrifice of God's only Son may be as acceptable to God as the sacrifice of Abel was? Or how does Christ, who sits at the right hand of the Father, need the mediation of angels to be carried or presented to his Father at the heavenly altar? With what propriety of speech can Christ be called "all these good things?" and the good things "which God createth always, and quickeneth, and sanctifieth always?" Doth God create, and quicken, and bless Jesus Christ by Jesus Christ? It is proper to say all this of the gifts, supposing them still to be real bread and wine; but altogether improper, if they are transubstantiated into the natural flesh and blood of Christ. Whence we may conclude, that the first compilers of this prayer knew nothing of the new doctrine of transubstantiation, which makes this prayer absurd in every syllable of it; to enter here no further upon a debate concerning the change which is made in the elements by consecration, which every one knows where to find discussed at large in our polemical writers, and something will be said of it hereafter under the head of Adoration, chap. 5. sect. 4.

Sect. 31. Of the form, *Sancta Sanctis*, and the hymn, "Glory be to God on high."

Immediately after the benediction of the bishop, the deacon in the Constitutions is appointed to say, Πρόσχω-

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[250] Iren. lib. 4. cap. 34. Est altare in cœlis, illuc preces nostræ et oblationes diriguntur.

[251] Missa Mozarab. in Natali Domini. Item Dominica 2 et 5. post Epiphan. et Domin. 1 et 3. Quadragesimæ. Die Paschatis, et Domin. 3. post Pasch. cited by Bona, Rer. Liturg. lib. 2. cap. 13. n. 5.

[252] Missal. Gothic. ap. Mabil. lib. 3. p. 314. in Festo Assumptionis. Descendat, Domine, in his sacrificiis tuæ benedictionis coæternus et cooperator Paracletus Spiritus: ut oblationem quam tibi de tua terra fructificante porrigimus, cœlesti permutatione, te sanctificante, sumamus: ut translata fruge in corpore, calice in cruore, proficiat meritis, quod obtulimus pro delictis, &c. It. Missa in Circumcisione, ibid. p. 202. Hoc sacrificium suscipere et benedicere et sanctificare digneris, ut fiat nobis eucharistia legitima, &c. Vid. ibid. Missa 20. in Cathedra Petri, p. 228. et Missa 65. in Festo Leodegarii, p. 285. et Missa 27. in Symboli Traditione, p. 235. Missa 77. Dominicalis, p. 296.

[253] Missal. Roman. in Canone Missæ, p. 300. Antwerp. 1574. Supra quæ propitio ac sereno vultu respicere digneris, ut accepta habere dignatus es munera pueri tui justi Abel—Supplices te rogamus Deus omnipotens, jube hæc perferri per manus sancti angeli tui in sublime altare tuum. —Per Christum Dominum nostrum, per quem, Domine, hæc omnia semper nobis bona creas, sanctificas, vivificas, benedicis.

[254] Vid. Du Moulin, Novelty of Popery, lib. 7. chap. 5. p. 730. and Buckler of Faith, p. 510.

μεν, Let us give attention. And then the bishop, calling to the people, says, Ἅγια τοῖς ἁγίοις, "Holy things for those that are holy." To which the people answer, "There is one holy, one Lord, one Jesus Christ, to the glory of God the Father, who is blessed for ever, Amen. Glory be to God in the highest, and on earth peace, good will towards men. Hosanna to the Son of David. Blessed be God the Lord, that came in the name of the Lord, and appeared unto us; hosanna in the highest." Cyril of Jerusalem takes notice of one part of this in the church of Jerusalem, where it came immediately after the Lord's prayer. After that, says he,[255] the priest says, Holy things for holy men. Holy are the elements which lie before us, when they have received the illapse of the Holy Ghost upon them. Holy are ye also, when ye are endowed with the Holy Ghost: and therefore holy things agree to holy men. Then ye say, There is one holy, one Lord Jesus Christ. There is one truly holy, who is holy by nature: ye also are holy, not by nature, but by participation, by exercise and prayer. St. Chrysostom also[256] takes notice of the same, comparing the service of the church to the Olympic exercises, where the herald stands and cries with a loud voice, Does any one accuse this man? Is he a thief? Is he a slave? Is he an immoral man? So the ecclesiastical herald, the priest, standing on high, calls some, and rejects others, not with his hand, but with his tongue: for when he says, Holy things for holy men, he says this, If any one be not holy, let him not come here. He does not barely say, if he be free from sin, but, if he be holy: for it does not make a man holy, merely to be free from sin, but to be endowed with the Spirit, and to abound with good works. Therefore he says, I would not have you only free from mire, but white and beautiful. St. Chrysostom also often speaks of the hymn, "Glory be to God on high," and tells us particularly that it was sung at the eucharist, as well as upon other occasions. God, says he,[257] first brought the angels down hither, and then carried men up to them. The earth was made a heaven, because heaven was about to receive the things of the earth. Therefore, εὐχαριστοῦντες λέγομεν, when we give thanks, or celebrate the eucharist, we say, "Glory be to God on high, in earth peace, good will towards men." And that by the thanksgiving he here means the eucharist, is evident from another place, where he more precisely specifies the time of using it in the communion service: ἴσασιν οἱ πιστοὶ, &c. They who are communicants know[258] what hymn is sung by the spirits above; what the cherubims say above; what the angels said, "Glory be to God on high." Therefore our hymns come after our psalmody, as something more perfect. Meaning that psalms were sung in the service of the catechumens; but these hymns, the cherubical hymn and the angelical hymn, more peculiarly in the communion service.

Sect. 32. Of the psalm inviting to the communion.

St. Cyril adds,[259] that after the hymn, "One holy," a psalm was sung inviting them to participate of the holy mysteries, which was the thirty-first Psalm, and particularly those words, "Taste and see that the Lord is gracious." Which, he tells them, was not to be estimated or discerned by their corporeal taste, but by the certainty of faith. For they were not bid to taste bread and wine, but the antitype or sign of the body and blood of Christ. This was a distinct psalm from those which were used to be sung afterward, whilst the people were communicating: for this was an invitatory to communicate, but the other were for meditation and devotion whilst they were actually partaking; of which there will be occasion to say something further in the next chapter.

Sect. 33. The consecration always performed with an audible voice.

Here we must note two things more which concern the consecration in general, in opposition to the corruptions of later ages. First, That as all Divine service was in a known tongue, so particularly the consecration of the eucharist was ordered to be pronounced both intelligibly and audibly, that the people might hear it, and answer, Amen. The contrary practice now prevails in the Roman church: but both Habertus[260] and Bona[261] own it to be an innovation, of which there is no footstep till the tenth age, when first the ancient custom was superseded. It would be impertinent to produce authorities for a thing that is so plainly confessed and beyond dispute. And therefore I shall only note one thing upon this point, that when some little grumbling of this disease began to appear in the time of Justinian, he checked it in its first symptoms, by a severe law,[262] commanding all bishops and presbyters to make the Divine oblation, and the prayers used in baptism, not in secret, or with a low and muttering voice, but so as all the faithful people might hear them, to the greater devotion of their souls, and the greater praise and glory of God. For so the holy apostle teaches, saying in the First

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[255] Cyril. Catech. Myst. 5. n. 16.

[256] Chrys. Hom. 17. in Hebr. p. 1873. See also Hom. 123. t. 5. p. 809, 810. Edit. Savil.

[257] Hom. 3. in Colos. p. 1337.

[258] Hom. 9. in Colos. p. 1380.

[259] Cyril. Catech. Myst. 5. n. 17.

[260] Habert. Archieratic. par. 8. obser. 9. p. 145.

[261] Bona, Rer. Liturg. lib. 2. cap. 13. n. 1.

[262] Justin. Novel. 137. cap. 6. Jubemus omnes episcopos et presbyteros non in secreto, sed cum ea voce quæ a fideli populo exaudiatur, Divinam oblationem et precationem quæ fit in baptismate sancto, facere, ut inde audientium animi in majorem devotionem et Dei laudationem et benedictionem efferantur, &c.

Epistle to the Corinthians, "If thou shalt bless with the spirit only, how shall he that occupieth the room of the unlearned say Amen at thy giving of thanks, seeing he understandeth not what thou sayest? For thou verily givest thanks well, but the other is not edified." Therefore if any bishop or presbyter contemn this rule, they must give an account hereof in the dreadful judgment of our God and Saviour Jesus Christ; and we, when they come to our knowledge, will not suffer them to remain quiet and unpunished. It is well for the Roman church, that the canon law is superior to the civil; else such a horrible abuse of all righteous both Divine and human laws, would not go without its just revenges. This is one of those many good laws for which the church is beholden to that learned emperor; whom yet Baronius,[263] for the sake of these very laws, does bespatter and rally, as an ignorant *analphabetus*, an impious heretic, an invader of Divine rights, a man sick of the common distemper of kings, and whatever a partial historian could think of, that was indecent to be said, who was himself indeed sick with prejudice in favour of the common abuses and corruptions of his own church, among which this is one of the most flaming and intolerable, to pray every day in an unheard and unknown tongue, so contrary to the authority of the apostle, and the rules of the primitive church, and the edification of Christian people, and the common sense and reason of mankind.[264]

Sect. 34. And with breaking of bread to represent our Saviour's passion.

The other ceremony to be noted in the practice of the ancients is, that in consecrating the eucharist they always brake the bread, in conformity to our Saviour's example, to represent his passion and crucifixion. Clemens Alexandrinus speaks of this as a general custom,[265] when the eucharist was divided or broken, to let every one of the people take his part. And St. Austin[266] says the whole church observed it, in blessing the bread, to break it for distribution. The reader that pleases may find other testimonies collected by Hospinian[267] out of Irenæus,[268] Dionysius the Areopagite,[269] Theophilus of Alexandria,[270] and Cyril of Alexandria,[271] and St. Chrysostom.[272] Neither does Bona[273] himself deny this, but proves it further from Gregory Nazianzen,[274] and Cæsarius Arelatensis, and all the older ritualists and liturgies, of which he says there is not any that does not prescribe this breaking of bread, the Greeks into four parts, the Latins into three, and the Mosarabic liturgy into nine parts. Which is also noted by Mabillon, who adds,[275] that these nine parts in that liturgy are characterized by so many several names, viz. Incarnation, Nativity, Circumcision, Epiphany or Manifestation, Passion, Death, Resurrection, Glory, and Kingdom. Which is a little deviation from the simplicity of the ancient church, yet not so culpable as the practice of the present Roman church, where, instead of breaking bread for the communicants to partake of it, they only break a single wafer into three parts (of which no one partakes) only to retain a shadow of the ancient custom. Bona indeed calls this breaking of bread according to Christ's institution, or rather, breaking of Christ's body under the species of bread, when yet, according to their doctrine, Christ's body is not broken, neither is it bread, but the species of bread; nor common bread, but a wafer, whereof the species is only broken, not the substance, and that not for communicating, but a show, to make men believe they are retainers of an ancient custom. The first disputers against the Reformation are more ingenuous. They freely own, that the Roman church has made an alteration,[276] only they say she had good reasons for it, lest in breaking the bread some danger might happen, and some crumbs or particles of it perish; and then again, because the pope has power to alter any thing relating to the sacrament, according to the exigence of time and place, if it only concerns the ornament or accidentals of it. As if Christ himself could not have foreseen any dangers that might happen, or given as prudent orders as the pope concerning his own institution! But it is sufficient to have observed this variation of the church of Rome, though in a smaller matter, from the primitive practice, together with their reasons for such a change; of which the reader may see more in Chamier or Bishop Jewel, who have more particularly canvassed and examined all the pleas that are offered on the other side by the advocates of that church for this and many other alterations.[277] I now go on with the primitive account, which leads us next to consider the communicants themselves who were allowed to receive this sacrament, and the manner of communicating and receiving it.

263 Baron. an. 528. t. 7. p. 144.

264 See Chamier against Bellarmine, and Jewel against Harding upon this subject.

265 Clem. Strom. lib. 1. p. 318.

266 Aug. Ep. 59. ad Paulin.

267 Hospin. Hist. Sacrament. p. 30.

268 Iren. lib. 4. cap. 34. 269 Dionys. Eccl. Hier. cap. 3.

270 Theoph. Ep. Paschal. 1.

271 Cyril. in Joan. lib. 14.

272 Chrys. Hom. 24. in 1 Cor.

273 Bona, Rer. Liturg. lib. 2.

274 Naz. Ep. 240. ad Amphiloc.

275 Mabil. de Liturg. Gall. lib. 1. cap. 2. p. 12. Sub hæc frangit hostiam in novem particulas, quæ his nominibus designantur, Corporatio, Nativitas, Circumcisio, Apparitio, Passio, Mors, Resurrectio, Gloria, Regnum.

276 Salmero, Tract. 30. in Act. ap. Chamier. de Euch. lib. 7. cap. 11. n. 26. p. 384.

277 Vid. Chamier, ubi supra. Jewel, Reply to Harding, Artic. 11. p. 327.

CHAPTER IV.

OF COMMUNICANTS, OR PERSONS WHO WERE ALLOWED TO RECEIVE THIS SACRAMENT, AND THE MANNER OF RECEIVING IT.

Sect. 1. All persons, except catechumens and penitents, obliged to receive the eucharist.

Now that we are come to the act of communicating, we must first consider what persons were allowed, or rather obliged, to receive this holy sacrament; and then, after what manner they received it. For the first, we are to remember, what has been often observed before, that as soon as the service of the catechumens was ended, a deacon was used to call upon all catechumens, and those that were under penance, to withdraw; and admonish all others to stay at the prayers of the faithful, and make their oblation, and receive the communion. Whence it is evident, that the most ancient and primitive custom was, for all that were allowed to stay and communicate in prayers, to communicate in the participation of the eucharist also, except only the last class of penitents, who were admitted to hear the prayers, but not to make their oblation, nor receive the communion; whence they had the name of *consistentes*, co-standers, because they might stay to communicate in the prayers, but still δίχα προσφορᾶς, without the oblation, as the ancient canons word it. These only excepted, all other baptized persons were not only permitted, but by the rules of the church obliged to communicate in the eucharist, under pain of ecclesiastical censure. The most ancient canons are very express to this purpose. Among those called the Apostolical Canons[1] there is one runs in these words: "All such of the faithful as come to church, and hear the Scriptures read, but stay not the prayers, and to partake of the holy communion, ought to be suspended as authors of disorder in the church." Which the council of Antioch[2] repeats with a little enlargement: "All such as come into the church of God, and hear the Holy Scriptures read, but do not communicate with the people in prayer, and refuse to partake of the eucharist, which is a disorderly practice, ought to be cast out of the church, till they confess their fault, and bring forth fruits of repentance; when, if they ask pardon, they may obtain it." Martin Bracarensis[3] puts this canon into his collection for the use of the Spanish church. And Gratian[4] alleges a decree of Pope Anacletus, which orders all to communicate when the consecration was ended, if they would not be cast out of the church: for so the apostles appointed, and the holy Roman church observed that order; which though it be a supposititious decree, yet it is made in conformity to the ancient discipline, and shows the practice that was then prevailing even in the Roman church.

Sect. 2. When and how this discipline began first to relax.

In St. Chrysostom's time some began to desire they might have liberty to stay during the performance of the whole office, and yet not be obliged to communicate. They were not willing to be accounted penitents, and be driven out with them; and yet they would not be communicants, and orderly partake with the church. Against these St. Chrysostom inveighs, after his usual manner, with a great deal of eloquence, and becoming sharpness. Are you unworthy of the sacrifice, and unfit to partake of it?[5] (for that was their plea:) neither then are you worthy of the prayers. Do you not hear the church's herald standing, and proclaiming, All ye that are penitents, withdraw? All they that do not communicate, are penitents. If thou art of the number of penitents, thou mayest not partake. For he that is not a partaker, is a penitent. Why does he say, All ye that cannot pray, be gone? And why do you impudently stay? You are not one of those, you will say, but of those that may partake. Consider, I pray, and seriously weigh the matter. The royal table is prepared, the angels stand ministering by, the Lord himself is present, and do you stand yawning as an idle spectator only? Your garments are defiled, and are you under no concern? Yea, but, say you, they are clean. Then sit down, and partake. The King comes daily to see the guests, and discourses with them all: and now he says in your consciences, Friends, how come you to stand here, not having on a wedding garment? He said not, Why art thou set down? But before he was set down, before he was entered, he pronounced him unworthy. For he said not, Why art thou set down? but, Why camest thou in hither? The same now he says to every one of us, that stand here with an impudent boldness. For every one that does not partake, is shameless and impudent. They that are in sin, are for this reason first cast out. As therefore none of those, who are not initiated, ought to be present; so neither any of those who are initiated, if they be defiled. Tell me, if any one that is invited to a feast, washes his hands, and sits down, and is ready for the table, and yet after all eats not, does he not affront him that invited him? Were it not better that such a man should not be present? Likewise thou also art present, thou hast sung the hymn, and made profession with the rest that thou art one of those that are worthy, in that thou didst not depart with the

[1] Canon. Apost. 10. Vid. can. 8. ibid. for the Clergy.
[2] Conc. Antioch. can. 2.
[3] Martin. Bracarens. Collect. Canon. c. 83.
[4] Gratian. de Consecrat. Dist. 2. cap. 10. Peracta consecratione omnes communicent, qui noluerint ecclesiasticis carere liminibus. Sic enim et apostoli statuerunt, et sancta Romana tenet ecclesia.
[5] Chrys. Hom. 3. in Ephes. p. 1051.

unworthy. How is it that thou remainest, and yet dost not partake at the table? Thou sayest, I am unworthy. Thou art then unworthy also of the communion of prayers. I have transcribed this long, but elegant passage of Chrysostom, to show, that in his time by the rules of the church none were allowed to refrain from partaking of the eucharist upon the pretence of unworthiness, who were not deemed unworthy to be present at the prayers also.

But in the very next age this discipline was a little relaxed, and men who would not communicate were not only permitted, but enjoined to stay during the whole service, till after the Lord's prayer and the bishop's benediction; which, as has been showed in the last chapter, (sect. 29,) was not till the whole consecration was ended, immediately before the act of partaking; at which time this sort of non-communicants were dismissed with a solemn prayer, called the benediction, as appears from the councils of Orleans and Agde, before referred to. For the council of Agde gives special order,[6] That all secular men on the Lord's day should stay to hear mass, and not depart before the bishop's benediction. And the council of Orleans[7] says the same, That the people should not depart before the solemnity of the mass was ended; that is, till the consecration prayers were completed; and then, if the bishop were not present, they should receive the benediction of the priest. So that what in Chrysostom's time was reckoned a crime, was presently after accounted a piece of devotion, for the people to stay and hear the whole solemnity of the service to the time of communicating, and then they might depart without partaking of the communion. Which was plainly a relaxation of the ancient discipline, and a deviation from the primitive practice.

Sect. 3. When first the use of *eulogiæ* came in, instead of the eucharist, for such as would not communicate.

And this brought in another innovation along with it, that such as would not communicate, might yet partake of the *eulogiæ*, or a sort of consecrated bread, distinct from the eucharist. The *eulogiæ*, in the more ancient writers, is the very same with the eucharist, and used by them to signify the same thing as St. Paul means, when he says, "The cup of blessing," ποτήριον τῆς εὐλογίας, "which we bless, is it not the communion of the blood of Christ?" 1 Cor. x. 16. And so it is always used by Cyril of Alexandria and Chrysostom, as learned men[8] have observed out of many places of their writings. But in after ages it was distinguished from the eucharist, as something that after a sort supplied the room of it. The council of Nante,[9] about the year 890, ordered the presbyters to keep some part of the people's oblations till after the service, that such as were not prepared to communicate, might on every festival and Lord's day receive some of this *eulogia*, when blessed with a proper benediction. Some collectors of the canons[10] ascribe this decree to Pope Pius the martyr, who lived in the second century; but Bona ingenuously owns[11] that to be a forgery, and says further, that the men who father this decree upon him, considered not that in his time there was no such thing as this kind of *eulogia* in the church, about which Tertullian, Cyprian, and all their contemporaries are altogether silent; because in those days all that were present at the sacrifice were wont to communicate; but these *eulogiæ* were invented in after ages for those who could not, or would not, be partakers of the holy mysteries. This is an ingenuous confession of that learned writer, who, where the cause of his church is not deeply concerned, commonly speaks his mind with a great deal of freedom, and uses a just liberty in taxing the innovations of the monks and schoolmen.

Sect. 4. The corruption of private and solitary mass, unknown to former ages.

But in the business of private or solitary mass, where the credit and interest of the Roman church is more immediately concerned, he acts a little more like an artist, and labours to palliate what he cannot either heartily or solidly defend. That we call solitary mass, where the priest receives alone without any other communicants, and sometimes says the office alone without any assistants: such are all those private and solitary masses in the Roman church, which are said at their private altars in the corners of their churches, without the presence of any but the priest alone, and all those public masses, where none but the priest receives, though there be many spectators of the action. As there is no agreement of either of these with the institution of Christ, but a direct opposition to it; (for that was designed to be a communion among many: "We being many are one bread and one body; for we are all partakers of that one bread:" which is impossible where there are no communicants;) so there is not the least footstep of any such practice in the primitive church. Bellarmine offers faintly some poor conjectures about it, whilst he

[6] Conc. Agathen. can. 44. Missas die Dominica secularibus audire speciali ordine præcipimus, ita ut ante benedictionem sacerdotis egredi populus non præsumat, &c.

[7] Conc. Aurelian. 1. can. 28. Cum ad celebrandas missas in Dei nomine convenitur, populus non ante discedat, quam missæ solennitas compleatur: et ubi episcopus non fuerit, benedictionem accipiat sacerdotis.

[8] Vid. Casaubon. Exercit. 16. in Baron. n. 33. Albertin. de Eucharist. p. 749. Suicer. Thesaur. Eccles. voce Εὐλογία. And Bona himself owns it.

[9] Conc. Nannetens. can. 9. Partes incisas habeat in vase nitido et convenienti, ut post missarum solennia, qui communicare non fuerint parati, eulogias omni die Dominico, et in diebus festis exinde accipiant, quæ cum benedictione prius faciat.

[10] Crab. Conc. t. 1. p. 87.

[11] Bona, Rer. Liturg. lib. 1. cap. 23. n. 12.

fairly owns,[12] that there is no express testimony to be found among the ancients, that they ever offered the sacrifice without the communion of one or more persons beside the priest. All his conjectures are mere trifles, and the first of them directly against himself. For he would have his reader conjecture, from the council of Nante, cited by Ivo,[13] that the ancients allowed of solitary mass by the priest alone, because that council takes occasion to mention the practice, only to forbid and censure it. Which it does in very severe terms, which it will not be amiss here to transcribe, to show what opposition the corruption met with, as soon as it began to appear among the monks, who were the first inventors of it. The holy council, say they, gives strict order, That no presbyter shall presume to celebrate mass by himself alone. For to whom shall he say, "The Lord be with you;" or, "Lift up your hearts;" or, "Let us give thanks to our Lord God;" when there is none to answer him? Or how shall he say those words in the canon itself, "All that are here present," when there is no one present with him? Or whom does he invite to pray, when he says, "Let us pray;" when there is no one to pray with him? Therefore he must either pass over these things in silence; and so not only make the sacrifice imperfect, and incur that terrible sentence which says, "If any one shall take away from this, God shall take away his part out of the book of life:" or else, if he mutters these things to the bare stones and walls, it will be ridiculous. Therefore this dangerous superstition is by all means to be exterminated, especially out of the monasteries of the monks. And let all prelates take care, that the presbyters in convents and other churches have always some fellow workers or attendants in the celebration of mass. One must needs conclude, that Bellarmine was driven to very hard shifts in defence of a desperate cause, when he was forced to allege this canon as a proof of the practice of solitary mass among the ancients, which does not so much as prove it to be a lawful practice among the moderns, but is such a flaming evidence against it, as a novelty, that makes nonsense of all their service, and makes them speak to the walls, and is by all means to be exterminated out of the monasteries, where it first began, as a dangerous and ridiculous superstition. Cardinal Bona is not much happier than Bellarmine, in his management of this point. For in one chapter he undertakes[14] to prove solitary mass a novelty, unknown to the ancient church, and against the very tenor of the present Roman canon; and in the next chapter he pretends to prove, that private mass, without communicants or assistants, is a very ancient and laudable practice. First he tells us, That the very tenor of the mass and the practice of the ancient church evince, that the sacrifice was originally instituted principally to be publicly and solemnly performed by the clergy and people standing, offering and communicating together.[15] For all the prayers, and the very words of the canon, are spoken in the plural number, as in the name of many. Hence it is, that the priest, inviting the people to pray, says, "Let us pray." And when he salutes them, he says, "The Lord be with you." And then the people, being admonished to lift up their hearts unto God, answer, "We lift them up unto the Lord." Hence it is, that in the very canon he always prays in the name of the people gathered together, of which giving several instances, he infers, that from thence it is clear, that the mass is nothing else but the action of the priest and whole congregation; which, he says, is proved further from those words of the prayer, *Omnium circumstantium*, &c., "All that stand here, whose faith and devotion is known to thee;" which cannot be wrested to any other sense. And that all that were present did communicate, he says, appears from those words of the priest, when he prays, that "the body and blood of Christ may be to all that receive to eternal life." And after the communion, he says, "What we have received with our mouths, let us receive with a pure mind:" and, "Thou hast filled thy family with thy gifts:" and almost all the prayers, which are said after communicating, are of the same tenor, because no others could be present but such as could offer and partake of the sacrament. Which he proves from Cyprian and Pope Leo, and the Apostolical Canons, and the council of Antioch. To these he adds the testimonies of Micrologus, and Odo Cameracensis, and Stephanus Eduensis, concerning the same practice of the primitive church, which they own was different from that of their own times, when solitary mass was brought in by the monks. Nay, he adds, that solitary mass was forbidden by several councils and canons expressly, when it began to appear. Among which, he relates the forementioned canon of the council of Nante, and the council of Mets under Leo III. can. 43, and the Capitular of the kings of France, collected by Benedictus Levita, lib. 5. cap.

[12] Bellarmin. de Missa, lib. 2. cap. 9. p. 821. Nusquam expresse legitur a veteribus oblatum sacrificium sine communione alicujus vel aliquorum præter ipsum sacerdotem.

[13] Conc. Nannetens. apud Ivonem, par. 3. cap. 70. Definivit sanctum concilium, ut nullus presbyter solus præsumat missam celebrare. Cui enim dicit, Dominus vobiscum, Sursum corda, aut Gratias agamus Domino Deo nostro, cum nullus sit qui respondeat?—Si hæc muris et parietibus insusurraverit, ridiculosum erit. Quapropter illa periculosa superstitio maxime a monasteriis monachorum exterminanda est, &c.

[14] Bona, Rer. Liturg. lib. 1. cap. 13. n. 2.

[15] Et quidem ab initio sic sacrificium principaliter institutum fuisse, ut publice ac solenniter fieret, clero et populo astante, offerente, ac communicante, ipse tenor missæ et veteris ecclesiæ praxis evincunt, &c.

93, and the Capitular of Theodulphus Aurelianensis, cap. 7. And the Synodical Epistle of Ratherius Veronensis, published by Dacherius, Spicileg. t. 2. And the synod of Paris under Gregory IV., anno 829; which is most remarkable, because it shows us both the original, and the grounds and motives that introduced this corruption. A very culpable custom, say they,[16] is crept in in many places, partly by negligence, and partly by covetousness, which ought by all means to be reformed, that some presbyters celebrate mass without any attendants. Whence it is proper to convene, and ask every such busy consecrator of the body and blood of the Lord, to whom he uses those words, "The Lord be with you?" And who answers him, "And with thy spirit?" Or for whom he supplicates the Lord, when he says among other things, "Remember those that stand about me;" when there are none standing about him? Which custom therefore, being contrary to apostolical and ecclesiastical authority, and bringing a reproach upon so great a mystery, it seems good to us all in common to inhibit it for the future; and that every bishop take care, that no presbyter within his diocese shall presume to celebrate mass by himself alone. Bona owns, that all these councils prohibited solitary mass upon this ground, that it made all such expressions as those, "The Lord be with you," and, "Lift up your hearts," &c., to be nonsense and absurd. And he adds some canons out of Gratian,[17] under the name of Pope Soter and Anacletus, which ordain, That no presbyter should presume to celebrate mass, except there be at least two present beside himself. Upon which he takes occasion to make this just reflection, That these could not be the decrees of those ancient bishops, because[18] solitary mass was a thing never heard of in their age, and he could not think they would make laws to take away an abuse, which crept not in till some ages after among the monks. Would it not now perfectly amaze a man, after all this, to hear the same author declare in the very first words of his next chapter, that the laudable custom of private mass, without any communicants, or the presence of any but one priest, was always the practice of the church? And that the heretics who hate liturgy (so he wrongfully[19] slanders the protestants) could never demonstrate that it was prohibited; when he himself has so fully demonstrated it to their hands. But now he will undertake to demonstrate on the contrary, that private mass, in whatever sense we take it, was always lawful and in use, from the most approved testimonies and examples of the primitive fathers. And yet, when he comes to the proof, he offers not so much as one instance of that sort of private mass, where the priest ministers alone without the presence of the people, which is called solitary mass, though he approves of it; nor says he any thing material for that sort of private mass, where the priest partakes without any other communicants, though in the presence of all the people; but only urges a mistaken passage of Chrysostom, (urged before by Bellarmine and Harding, and answered by Chamier,) where he says, In vain do we stand at the altar, in vain is the daily sacrifice offered, there is[20] no one that communicates. As if Chrysostom had had neither presbyter, nor deacon, nor any of the people to communicate with him above once a year in the great churches of Antioch or Constantinople, because many were so negligent as not to communicate oftener; whom he justly reproves in a hyperbolical way of speaking, which does not mean that he communicated by himself alone, but that many were guilty of a gross neglect, whilst others, as Chrysostom himself says, were more assiduous and zealous. And yet this is one of the best proofs Bona can give, after all his boasts of demonstration; which shows, that he was as hard put to it to defend an indefensible cause, as Pope Innocent III. was, when, to answer the objection that is urged in this very argument, how the priest can say, *Orate pro me, fratres*, "Pray for me, brethren;" seeing he is alone without assistants? he is forced to say,[21] That it is piously to be believed, that the angels of God are our associates in prayer. Which answer does not untie the knot:[22] for though they are present, they are not present as communicants to eat and drink with us the body and blood of Christ. Neither can the priest be supposed to say to the angels, "Take, eat, this is my body;" accord-

[16] Conc. Paris. lib. 1. cap. 48. Irrepsit in plerisque locis partim incuria partim avaritia, reprehensibilis usus et congrua emendatione dignus, eo quod nonnulli presbyterorum sine ministris missarum solennia frequentent. Unde conveniendus, imo interrogandus nobis videtur hujusmodi corporis et sanguinis Domini solitarius consecrator, quibus dicit, Dominus vobiscum, et a quo illi respondetur, Et cum spiritu tuo: vel pro quibus supplicando Domino inter cætera, Memento Domine, et omnium circumstantium, cum nullus circumstet, dicit? Quæ consuetudo, quia apostolicæ et ecclesiasticæ authoritati refragatur, et tanto mysterio quandam dehonorationem irrogare videtur, omnibus nobis in commune visum est, ut deinceps hujusmodi usus inhibeatur, provideatque unusquisque episcoporum, ne in sua parochia quisquam presbyterorum missam solus celebrare præsumat.

[17] Grat. De Consecrat. Dist. 1. cap. 61.

[18] Bona, lib. 1. cap. 13. n. 6.

[19] Bona, ibid. cap. 14. n. 1. Semper viguit in ecclesia privatæ missæ, uno saltem præsente et ministrante, laudabilis consuetudo, quam hæretici misoliturgi aliquando prohibitam fuisse nunquam poterunt demonstrare. Sive enim dicatur privata ex eo quod solus sacerdos in ea communicet; sive quia vel unus duntaxat vel pauci ei intersint, sive alia quacunque ex causa: semper eam licitam, semperque in usu fuisse, probatissimis patrum testimoniis et exemplis demonstrabo.

[20] Chrys. Hom. 3. in Ephes.

[21] Innoc. de Offic. Missæ, lib. 2. c. 25. ap. Juel. Art. 1. p. 51.

[22] Bona, lib. 2. cap. 5. n. 1, says, This answer of the pope is piously meant, but not solid and true.

ing to Christ's command. Evident therefore it is, beyond all contradiction, that whether we consider the institution itself; or the practice of the apostles and the primitive church; or the tenor of all the ancient liturgies, which the reader may find collected in Chamier,[23] with the testimonies of the fathers upon the subject; or even the tenor of the Roman mass itself; or the opposition this corruption met with at its first appearance; the eucharist was not intended as a sacrifice to be offered by a single priest in a corner, without communicants or assistants, or for the intention, or at the cost, of some particular person paying for it; but for a communion to the whole church, as the primitive church always used it; and there is not an example to be found of the contrary practice.

Sect. 5. Other corruptions countenanced some time in the Roman church, as the *missa sicca* and *nautica*, and those called *bifaciata* and *trifaciata*.

But this was not the only abuse which crept into the church in later ages against the ancient way of celebrating the holy communion; for Bona himself[24] takes notice of two more, which he censures as heartily as one could wish, though they found great encouragement in their time. They are corruptions not commonly met with in other authors, and therefore I will give the reader an account of them from him. The one was called *missa sicca*, dry mass, which, he says, took its original from the indiscreet and private devotion of some, to which the priests were too indulgent. It is a mere mask and counterfeit of the true mass, properly dry and jejune, as wanting not only the consecration, but the participation of the body of Christ, like that supper of wood and stones, which Lampridius and other historians tell us was exhibited by Heliogabalus to his guests. Yet it so prevailed, that for some time it was not displeasing to holy and learned men. Gulielmus de Nangiaco the monk, in his book of the Actions of St. Lewis, tells how that most religious king, returning from beyond sea into France, had the body of Christ in the ship with him, and there ordered all the whole Divine office and the mass, except the canon, to be daily celebrated. Genebrard commends the same in his book of the Apostolical Liturgy, cap. 30, for those that cannot be in the morning at the whole mass, and for those that are at sea, and for the sick, and for any that are buried in the afternoon; to which purpose he says it was used in his time, and he himself was present at Turin, anno 1587, at the funeral of a nobleman, who was buried in the evening with such a mass sung by a deacon and a subdeacon. Durandus describes the manner of celebrating it in his Rationale, lib. 4. cap. 1, where he says the whole office may all be used except the canon, although in the preface the angels seem to be invocated to the consecration of the body and blood of Christ. This, Durantus, in his book De Ritibus, lib. 2. cap. 4, says, is called the seamen's mass, *missa nautica*, because it was used to be celebrated at sea, and upon the rivers, where, by reason of the motion and agitation of the waves, the sacrifice could hardly be offered without danger of effusion. Estius declaims bitterly against it in his thirteenth Theological Oration, and Laurentius Laudmeter, lib. 2, De Veteri Clerico et Monacho, cap. 84, who both think it began a little before the time of Guido de Monte Rocherii, who commends and approves it in his book, called Manipulus Curatorum, Tract. 4. cap. 7, which he wrote, anno 1333; but they were mistaken, because, as we have seen, it was in use in the time of King Lewis the Saint, who died anno 1270, and Durantus describes it, who lived at the same time. And Petrus Cantor, who flourished anno 1200, mentions it in his book, called Verbum Abbreviatum, c. 29; where he says, Dry mass is without the grace and moisture of the consecrated eucharist, and profits the faithful nothing. Bona adds, that now, by the provident care of bishops, he thinks this abuse is abrogated and destroyed all over the world. But he forgets to tell his reader one thing, which Durantus tells us[25] freely out of Navarre, that the book called[26] Liber Sacerdotalis, where this *missa nautica* is described, was approved by Leo X.; and that St. Antonine speaks of it as used at Tholouse by way of funeral office in the afternoon. By which we may judge, how great corruptions may creep into the church, and then gain the approbation both of their popes and saints, by their own confession. And when it is so, they will never want advocates to plead their cause, and put the face of antiquity upon them. As in this very case, though Bona and others censure this abuse as an innovation, yet Durantus derives its original from the primitive church, and tells us it was practised at Alexandria in the time of Socrates, because he says[27] that on Wednesdays and Fridays they had the Scriptures read, and expositions made upon them, and all other things belonging to religious assemblies, except the celebration of the mysteries: which indeed is very true; but altogether foreign to his purpose, unless we shall say, that there can be no prayers, nor sermons, nor psalmody, nor reading the Scriptures in the church, but presently it must be called dry mass, that is, using the consecration service without a consecration.

The other corruption, which Bona censures as a detestable abuse, is that which they call *missa bi-*

[23] Chamier de Euchar. lib. 7. cap. 17, 18, 19.

[24] Bona, Rer. Liturg. lib. 1. cap. 15. n. 6.

[25] Durant. de Ritib. lib. 2. cap. 4. n. 8.

[26] Navar. de Oratione, Miscel. 53. Antonin. par. 3. tit. 13. cap. 6. n. 4.

[27] Socrat. lib. 5. cap. 22.

faciata and *trifaciata*, which he says Petrus Cantor, in the forementioned book, sharply rebukes. For some priests in his time had got a trick of throwing many masses into one, saying the mass of the day, or some special mass as far as the offertory, and then beginning another as far as the same place; and after that a third and a fourth in the same manner. After that they said as many secret prayers as they had begun masses, and then made one canon serve them all, adding as many collects in the end, as they had repeated in the beginning. Petrus Cantor ascribes the original of this abuse to the covetousness of the priests, who, knowing it to be unlawful for them to celebrate more than once in one day, invented this grafting of many masses upon one stock, that by once celebrating they might satisfy the devotion of many together, who desired the sacrifice to be offered for them, by which means they got the pay of several masses for one sacrifice. These masses Petrus Cantor calls by a barbarous name, *bifaciatas* and *trifaciatas*, because they had a double and a triple face: which he abominates and detests, as monstrous and contrary to the institution and custom of the church. It is great pity we have not this book of Petrus Cantor, called his Verbum Abbreviatum, or Short Work, here at hand in some of our libraries. It is a book so rare, that I find no mention made of it in Dr. Cave. But Du Pin gives a short account[28] of the author. He says, He was chanter of the church of Paris in the beginning of the thirteenth century; that he composed a book called The Word abridged, a work of great renown among the authors of the next centuries, of which a part was written against the proprietary monks. He likewise wrote a Grammar for Divines, very necessary for understanding the Scriptures; a book of Distinctions; a treatise about some Miracles; three books of the Sacraments, and divers sermons, mentioned by Trithemius. Du Pin adds, That in their libraries they had his Glosses upon the Bible, and A Collection of Cases of Conscience. But none of them are printed beside the Verbum Abbreviatum. Trithemius[29] says he was a bishop afterwards, as he had heard reported; and he gives him this character, that he was excellently well learned in the Scriptures, and eminent in all philosophical knowledge; that he was a rector of the Theological School at Paris for many years, where he trained up many eminent disciples. Were his books now to be seen, we might doubtless find many other such abuses of the monks as severely handled in them, as those which we have here noted out of Bona.

Whilst I am upon this head of abuses, the reader will not be displeased, if I note another of this kind, which Baronius himself takes notice of[30] out of the 17th council of Toledo, where there is a canon to censure and correct it. Some priests in Spain were so corrupt as to gratify revengeful men by saying the service of the dead for the living, for no other end, but that they for whom the office was said, might incur the danger of death, by having a sacrifice offered for them; and so that which was designed for men's salvation, was perversely abused at the instigation of wicked men to their destruction. Against such compliers with the detestable requests of wicked men, the council[31] pronounces the severe sentence of deposition and excommunication. We may also note another abuse mentioned in the twelfth council of Toledo,[32] which was, that some priests having occasion to consecrate the eucharist more than once in a day, would not communicate themselves every time, but only at the last consecration. Which was another sort of private mass, but as it were the reverse of that of the Romish church. For as now the priest communicates without the people, (pardon the absurdity of the expression, when I call that communicating where there is no communion,) so then the people were forced to communicate without the priest; both which the council thought preposterous and absurd, and therefore re-enforces the ancient discipline, that both priest and people should communicate together; which was ever the constant and universal practice of the whole primitive church, to whose laws and rules about communicants, leaving these abuses and innovations, I now return.

Sect. 6. The communion not given to heretics and schismatics without confession and reconciliation.

As all persons were obliged to receive the communion constantly who were within the pale of the church, in the largest acceptation of the word, except catechumens and excommunicate persons; so we must note, to avoid ambiguity, that heretics and schismatics were commonly ranked in the same class with excommunicate persons; sometimes being formally cut off from the church by her censures, and sometimes voluntarily by their own separation; and therefore, till they had made confession and renunciation of their errors, and were reconciled by imposition of hands and absolution, they were reckoned in the number of those to whom the com-

[28] Du Pin, Biblioth. Cent. 13. p. 54.

[29] Trithem. de Scriptor. p. 81.

[30] Baron. an. 694. n. 9.

[31] Conc. Tolet. 17. can. 5. Missam pro requie defunctorum promulgatam fallaci voto pro vivis student celebrare hominibus, non ob aliud, nisi ut is, pro quo idipsum offertur officium, ipsius sacrosancti libaminis interventu, mortis ac perditionis incurrat periculum: et quod cunctis datum est in salutis remedium, illi hoc perverso instinctu quibusdam esse expetunt in interitum, &c.

[32] Ibid. 12. can. 5. Quale erit illud sacrificium cui nec ipse sacrificans particeps esse cognoscitur? Ergo modis omnibus est tenendum, ut quotiescunque sacrificans corpus et sanguinem Jesu Christi Domini nostri in altario immolat, toties perceptionis corporis et sanguinis Christi participem se præbeat. Vid. Gratian. De Consecrat. Dest. 2. cap. 10.

munion of prayers and this holy sacrament was denied; and that whether they had been baptized in the church, or were baptized in heresy and schism. Sometimes they were allowed with all others to hear the Scriptures read, and the sermon preached, as has been showed[33] in a former Book: but then, when the service of the catechumens was over, they were obliged to depart with them; the deacon's admonition commonly running in these terms, as we have often heard before, "Let no catechumen, no penitent, no unbeliever, no heretic or heterodox person, be present at the holy mysteries. After what manner they were received and reconciled upon their confessions, belongs to another subject; which has in some measure been handled already,[34] and will come again under consideration in the next volume, when we treat of the discipline of the church: at present it is sufficient to observe, that whilst they continued in heresy or schism, they were of the number of those to whom the church refused to give the sacrament, as persons not being in full communion with her.

Sect. 7. Yet given to infants and children for several ages.

On the other hand it is beyond dispute, that as she baptized infants, and gave them the unction of chrism with imposition of hands for confirmation, so she immediately admitted them to a participation of the eucharist, as soon as they were baptized, and ever after without exception. Some evidence has been given of this already, for at least eight centuries, in speaking of confirmation,[35] out of Gennadius, and Alcuin, and the Ordo Rômanus, and Jesse Ambianensis, and other public offices of the church containing the rules of baptism and confirmation, where orders are also given to communicate infants as soon as they were baptized. Here I will add the testimony of the more ancient writers, that it may not be thought a novelty and invention of latter ages. Cyprian often mentions it as the common practice:[36] in his book of those that lapsed in time of persecution, he speaks of some parents, who took their little children in their arms, when they went to sacrifice at the heathen altars; and he brings in those infants thus complaining: We did nothing ourselves, neither did we leave the bread and cup of the Lord to run of our own accord to the profane contagions: it was the treachery of others that destroyed us, we fell by the hands of our parents. A little further he speaks of another infant, who was carried by her nurse, unknown to her parents, to the magistrates to partake of the idol sacrifice; who, when she was brought by her mother afterwards[37] to receive the eucharist, vomited up the wine that was given her to drink in the communion. By which it is undeniable that infants were then admitted to communicate in both kinds, if they were capable of receiving them. Upon this account the author of the Constitutions,[38] in his invitation of the faithful to the communion, bids mothers bring their children with them. And again,[39] describing the order in which they communicated, he says, First let the bishops receive, then the presbyters, deacons, subdeacons, readers, singers, and ascetics; among the women, the deaconesses, virgins, and widows; after that the children, and then all the people in their order. The author under the name of Dionysius[40] says the same, That children were admitted not only to baptism, but the eucharist, though they did not understand the reasons of either mystery. St. Austin not only mentions the practice in Cyprian's time,[41] citing the foresaid passages out of his book De Lapsis; but also seems to say it was necessary for infants in order to obtain eternal life; grounding upon that saying of our Saviour, John vi., "Except ye eat the flesh of the Son of man, and drink his blood,[42] ye have no life in you." Which, he says, is to be understood not of the sacrament of baptism, but of the sacrament of the Lord's table, where no one is rightly admitted but he that is baptized. And dare any one be so bold as to say, that this sentence does not appertain to little children, or that they can have life without partaking of this body and blood? He repeats the same frequently in his disputes with the Pelagians,[43] and his sermons on the words of the apostle,[44] and in his epistle to Boniface,[45] written jointly by him and Alipius against the Pelagians.

[33] Book XIII. chap. 1. sect. 2.

[34] Scholast. Hist. of Baptism, part I. chap. 1. n. 21.

[35] Book XII. chap. 1. sect. 2.

[36] Cypr. de Lapsis, p. 125. Infantes quoque parentum manibus vel impositi vel attracti, amiserunt parvuli, quod in primo statim nativitatis exordio fuerant consecuti. Nonne illi, cum judicii dies venerit, dicent: Nos nihil fecimus, nec derelicto cibo et poculo Domini ad profana contagia sponte properavimus. Perdidit nos aliena perfidia, parentes sensimus parricidas.

[37] Ibid. p. 132. In corpore atque ore violato eucharistia permanere non potuit. Sanctificatus in Domini sanguine potus de pollutis visceribus erupit.

[38] Const. lib. 8. cap. 12. [39] Ibid. cap. 13.

[40] Dionys. Eccl. Hierar. cap. 7. p. 360.

[41] Aug. Ep. 23. ad Bonifac.

[42] Aug. de Peccator. Merit. lib. 1. cap. 20. Dominum audiamus non quidem hoc de sacramento sancti lavacri dicentem, sed de sacramento sanctæ mensæ suæ, quo nemo rite nisi baptizatus accedit, Nisi manducaveritis carnem meam, &c. An vero quisquam audebit etiam hoc dicere, quod ad parvulos hæc sententia non pertineat, possuntque sine participatione corporis hujus et sanguinis in se habere vitam?

[43] Cont. duas Epist. Pelag. lib. 1. cap. 22. Nec illud cogitatis, eos vitam habere non posse qui fuerint expertes corporis et sanguinis Christi, dicente ipso, Nisi manducaveritis, &c.

[44] Serm. 8. de Verbis Apostoli, p. 110. Infantes sunt, sed mensæ ejus participes fiunt, ut habeant in se vitam.

[45] Ep. 106. ad Bonifac. p. 185. Nullus qui se meminit catholicæ fidei Christianum, negat aut dubitat parvulos non accepta gratia regenerationis in Christo sine cibo carnis ejus et sanguinis potu, non habere in se vitam.

And Pope Innocent his contemporary seems to have had the same opinion; for he argues in his epistle to St. Austin and the council of Milevis[46] for the necessity of baptizing infants, from the necessity of their eating the flesh and drinking the blood of the Son of man. There is great dispute among the Romish doctors about the sense of St. Austin and this Pope Innocent upon this point. Bona[47] and others think it would be a great reproach to their church, to have it thought that the council of Trent should condemn the opinion of the necessity of communicating infants, whilst two such great men as St. Austin and their own Pope Innocent were conceived to be of that opinion: and therefore they say, Though the ancients gave the communion to infants, yet they did not think it necessary to salvation. This is the *salvo* which the council of Trent put into their mouths; for having condemned the opinion itself as heretical, yet, to bring off the ancient church, which was known to practise it, she adds:[48] We do not hereby intend to condemn antiquity for observing this custom in some places. For as those holy fathers had a probable reason, considering the state of the times they lived in, for their practice; so it is certainly and without all controversy to be believed, that they did not do it upon any opinion of its being necessary to salvation. But Maldonate would not take the council's word for this; for without any regard to their interpretation or authority, he asserts roundly, that the ancients, and particularly St. Austin and Pope Innocent, did believe, that infants could not be saved without partaking of the eucharist,[49] and that they were induced to believe this by those words of our Saviour, "Except ye eat the flesh of the Son of man and drink his blood, ye have no life in you." And, indeed, any one that reads but with half an eye the testimonies of St. Austin now alleged, (which Bona thought fit to conceal from his reader, only making a short reference to some of them,) may easily perceive what was his opinion in the matter. And it were absurd to think, that the whole primitive church, Greek and Latin, from St. Cyprian's time, should give the communion to infants without imagining any manner of necessity from any Divine command to do it. But Bona endeavours to support his and the council's sense from the authority of Fulgentius, who was one of St. Austin's disciples, and who, as he represents him, says, that actual communion after baptism is not necessary to salvation. But he only abuses his reader with a false state of the case, and a false assertion grounded on it. For Fulgentius does not say that the actual participation of the eucharist is not necessary after baptism for infants; for he is not speaking of infants, but adult persons, who die as soon as they are baptized, without having opportunity to receive the communion: concerning whom he concludes favourably, that though they die before they receive outwardly the elements of bread and wine, yet they are not to be despaired of, because they were made partakers of the body and blood of Christ in baptism: which in such cases of great necessity[50] was sufficient to answer the end of the communion, when men were desirous of it, but had no opportunity to receive it. So that he believed the eucharist ordinarily to be necessary both for infants and adult persons, but in extraordinary cases of extreme necessity, not to be necessary for either.

But to set aside the question of right, and only pursue matter of fact, we find that this custom continued even in the Roman church for many ages: Maldonate says, for six centuries, but Bona makes it double the number; for he says, it was not abrogated in France till the twelfth century. In Gregory's Sacramentarium[51] there is an order concerning infants, That they should be allowed to suck the breast before the holy communion, if necessity so required. And the old Ordo Romanus,[52] a book composed in the ninth century, has a direction to the same purpose; That infants, after they were baptized, should not eat any food, nor suck the breast, without great necessity, till they had communicated in the sacrament of the body of Christ. So Alcuin, or whoever wrote under his name, in the time of Charles the Great, says, The order then was,[53] that when infants were baptized, they were

[46] Innoc. Ep. 93. inter Epist. Augustini. Parvulos æternæ vitæ præmiis etiam sine baptismatis gratia donari posse, perfatuum est: Nisi enim manducaverint sanguinem ejus, non habebunt vitam in semetipsis.

[47] Bona, Rer. Liturg. lib. 2. cap. 19. n. 1.

[48] Conc. Trident. Sess. 21. cap. 4. Neque ideo tamen damnanda est antiquitas, si eum morem in quibusdam locis servavit. Ut enim sanctissimi illi patres sui facti probabilem causam pro illius temporis ratione habuerunt; ita certe eos nulla salutis necessitate id fecisse sine controversia credendum est.

[49] Maldonat. Com. in Joan. vi. 53. p. 316.

[50] Fulgent. de Baptismo Æthiopis, cap. 11. p. 611. Nullus debet moveri fidelium in illis, qui etsi legitime sana mente baptizantur, præveniente velocius morte, carnem Domini manducare, et sanguinem bibere non sinuntur, propter illam videlicet sententiam Salvatoris qua dixit, Nisi manducaveritis carnem Filii hominis, &c. Quod quisquis—Mysterii veritatem considerare poterit, in ipso lavacro sanctæ regenerationis hoc fieri providebit.

[51] Greg. Sacram. in Officio Sabbati Sancti. Non prohibentur lactari ante sacram communionem, si necesse fuerit.

[52] Ordo Rom. Bibl. Patr. t. 10. p. 84. De parvulis providendum, ne postquam baptizati fuerint, ullum cibum accipiant, neque lactentur sine summa necessitate, antequam communicent sacramento corporis Christi.

[53] Alcuin. de Officiis, cap. de Sabbato Sancto, ibid. p. 259. Si episcopus adest, statim confirmari oportet (infans tinctus) chrismate, et postea communicare: et si episcopus deest, communicetur a presbytero, &c. Sed et hoc provi-

immediately confirmed by the bishop, if he were present, and admitted to communicate; but if the bishop was absent, they should receive the communion from the presbyter. Baluzius[54] alleges two manuscript Pontificals of the same age, which have rubrics to the same purpose. And the orders of Jesse, bishop of Amiens,[55] call it confirming children with the body and blood of Christ, as they were confirmed before with imposition of hands and chrism. And it is remarkable of Walter, bishop of Orleans, in the same age, that among his synodical rules there is one to this purpose: That a presbyter[56] shall always have the eucharist ready by him, that in case any one be infirm, or a young child sick, he may give him the communion, and not let him die without his *viaticum*, or provision for his journey into the next world. The second council of Mascon, which was held anno 588, and the third council of Tours,[57] in the time of Charles the Great, order the remains of the eucharist to be given to innocent children. Radulphus Ardens, who lived in the beginning of the twelfth century, speaks of it still as the custom to give little children the sacrament,[58] at least in the species of wine, immediately after they were baptized, that they might not go without the necessary sacrament. And Hugo de Sancto Victore at the same time recommends the giving of it to children,[59] if it might be done without danger: though he intimates now the custom was almost generally laid aside; there being only a mere form and shadow of it remaining, which was to give children newly baptized common wine instead of consecrated, which he thinks a superfluous rite, that ought to be laid aside. And so it was, not long after; for Odo, bishop of Paris, anno 1175, ordered, That neither consecrated nor unconsecrated bread should by any means be given to little children.[60] And so says Bona,[61] The custom of giving the communion to infants was superseded in the twelfth age in the Gallican church. It continued a little longer in Germany, if Suicerus does not mistake[62] in his author; for he quotes Joannes Semeca, surnamed Teutonicus, who wrote the Gloss upon Gratian, as saying, That the custom prevailed in some places in his time to give the eucharist to children. But there is no such Gloss in the place[63] he alleges, in the Roman edition; so that either he mistakes the place, or else some fraud has been used to expunge the passage by the Roman correctors. Zuinglius speaks of the custom continuing long among the Helvetians; for he says, in the ritual book of Claron, called their Obsequial, there was this rubric, That a newly baptized child should have the eucharist[64] in both kinds ministered unto him. And Hospinian assures us from his own knowledge,[65] that in Lorrain and the adjacent parts it was usual for the priest, when he had baptized a child, to dip his fingers in the cup, and drop the wine into the child's mouth, saying, The blood of our Lord Jesus Christ be of advantage unto thee to eternal life.

The Greek church was a little more tenacious of the ancient custom. For not only Basilius Cilix,[66] and Evagrius,[67] and Johannes Moschus,[68] mention the communion of children, and the giving the remains of the eucharist to children after the communion was ended; but also Nicephorus, who lived in the fourteenth century,[69] mentions the same: and Suicerus tells us out of Metrophanes Critopulus, a modern Greek writer,[70] that they still continue to observe the custom to this day. As he also observes out of Osorius de Gestis Emanuelis, lib. 9, that it continues to be the practice of the Ethiopic or Abyssinian churches. And he cites Sigismundus Baro's History of Muscovy for the same in the Russian churches. Mr. Brerewood[71] notes the like of the Russian churches out of Guaguinus. And Dr. Smith[72] tells for the present Greek church, that they give the eucharist in both kinds to little children of one or two years of age, and sometimes to new-born infants after baptism, in case of imminent danger of death; grounding their belief of an absolute necessity of this sacrament upon the words of our Saviour, John vi. 53, "Except ye eat the flesh," &c., and pleading the practice of the primitive church in their own justification. I have not said any thing of all this to reduce the custom into practice

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dendum est ut nullum cibum accipiant, neque lactentur, antequam communicent.

[54] Baluz. Not. in Reginonem, lib. 1. cap. 69.

[55] Jesse Ambianensis Epist. de Ordine Bapt. ap. Baluz. ibid. Episcopus puerum chrismate confirmet; novissime autem corpore et sanguine Christi confirmetur seu communicetur, ut Christi membrum esse possit.

[56] Walter. Aurelian. Capitul. 7. Conc. t. 8. p. 639. Presbyter eucharistiam semper habeat paratam, ut quando quis infirmatus fuerit, aut parvulus ægrotaverit, statim eum communicet, ne sine viatico moriatur. The same is in Ansegisus Abbas de Legibus Francorum, lib. 1. cap. 155. al. 161.

[57] Conc. Matiscon. 2. can. 6. Conc. Turon. 3. can. 19.

[58] Radulph. Serm. in Die Paschæ. De eucharistiæ necessitate statutum est ut pueris mox baptizatis saltem in specie vini tradatur, ne sine necessario sacramento discedant.

[59] Hugo de S. Victore, de Sacrament. lib. 1. cap. 20.

[60] Odo, Statut. Synodal. cap. 39.

[61] Bona, Rer. Liturg. lib. 2. cap. 19. n. 2.

[62] Suicer. Thesaur. Eccles. t. 2. p. 1138.

[63] Grat. de Consecrat. Dist. 4. cap. 4, cited also by Hospinian.

[64] Zuingl. Explanat. Artic. 18. Oper. t. 1. Baptizato puero mox detur eucharistiæ sacramentum, similiter et poculum sanguinis.

[65] Hospinian, Hist. Sacram. lib. 2. cap. 2. p. 60.

[66] Basil. ap. Photium Cod. 107. [67] Evagr. lib. 4. c. 35.

[68] Moschus, Viridarium, cap. 196.

[69] Niceph. lib. 17. c. 25.

[70] Suicer. t. 2. p. 1138. Ex Metroph. Confess. Eccl. Orient. cap. 9.

[71] Brerewood's Inquiries, cap. 18.

[72] Smith, Account of the Greek Church, p. 161.

again, (though Bishop Bedle and some others have declared entirely for it,) because, as learned men[73] have showed, there are good reasons to persuade the contrary: 1. Because it has no firm foundation in the word of God. 2. Because infants, which are baptized, are in effect thereby partakers of the body and blood of Christ, which are exhibited spiritually in baptism as well as the eucharist, according to St. Austin himself and all the ancient fathers, of which I have made full proof in another place.[74] 3. Because infants cannot do this in remembrance of Christ, which he requires all that partake in this sacrament to do. 4. Because there is the same analogy and agreement between the paschal lamb and the Lord's supper, as there is between circumcision and baptism: an infant Israelite had a right to enter the covenant by circumcision, as it was the seal of it; but he was not to partake of the passover, till he could ask his parents the meaning of the mystery, Exod. xii. 26. So an infant may enter the Christian covenant by baptism, but not partake regularly of the eucharist, till he can do it in remembrance of Christ. What I have therefore discoursed upon this head, by deducing the matter historically from first to last, is rather to show the vanity of that pretence to infallibility and unerring tradition in the church of Rome in matters of doctrine and necessary practice; since they themselves have thought fit to alter one point, which their infallible popes and forefathers for so many ages observed as necessary, in communicating infants upon a Divine command; and withal to show, that any other church has a better pretence than they to reform any practice, however generally observed, if upon better examination it be found not to be grounded upon a good foundation in the word of God. I now return to the business of the ancient church.

Sect. 8. Sent to the absent members of their own or other churches.

Where we find, that not only the present members were all communicants, but they that were absent had it sent to them by the hands of a deacon, to testify, that while they were absent upon any lawful occasion, they were still reputed to be in the communion of the church. Thus Justin Martyr says,[75] The same eucharist, which was received by them that were present, was carried by the deacons to the absent. For as they prayed for those that were absent upon a probable or reasonable cause, so they allowed them to communicate in the same sacrament also. Upon this account, as we have seen before,[76] the eucharist at Rome in the time of Melchiades, Siricius, and Innocent, was usually sent from the bishop's church to the *tituli*, or lesser churches, for the presbyters ministering in those churches to communicate with him, and, as some think,[77] for the whole congregations also. For they suppose, that at first there was but one altar in a city, and that at the mother-church, where the bishop ministered, and consecrated the eucharist, and sent it thence to the lesser congregations. And so they understand even that passage in Justin Martyr. I rather think, the presbyters had the privilege to consecrate the eucharist in their own churches; but, however, a portion of the eucharist was for all that sent them by the bishop from his own church, to testify that they were in communion with him: he did not send to the country churches, because the sacraments were not to be carried to places at too great a distance, as Innocent words it in his letter to Decentius. Yet in case of testifying their communion with foreign bishops, they were wont to send it to far distant churches. As Irenæus, in his Epistle to Pope Victor,[78] when he menaced the Asiatic churches with excommunication for their different way of observing Easter, tells him his predecessors never thought of such rough proceedings against them, but, notwithstanding this difference, always sent them the eucharist to testify their communion with them. Valesius[79] and others observe the same in the Acts[80] of Lucian the martyr, and Paulinus's[81] epistle to Severus. This was chiefly, if not solely, done at the Paschal festival, in token of their unity, love, and charity. But the council of Laodicea,[82] for some inconveniences attending the practice, absolutely forbade it; ordering that the holy sacraments should not be sent from one diocese to another under the notion of *eulogiæ*, or benedictions, at the Easter festival. Yet in some places the custom continued for several ages after. For Johannes Moschus[83] speaks of the communion being sent from one monk to another at six miles' distance: not to mention again the custom of sending the eucharist by Paulinus, and the bishops of Rome, from the mother-church to all the other churches throughout the city in every region. But where they left off this custom of sending the eucharist, they introduced another way of testifying their mutual love and amity to one another by certain symbols of bread, which they blessed and sanctified also in imitation of the eucharist, but with a different benediction. And to these also they gave

[73] Vid. Hospin. et Suicer. locis citatis.
[74] Book II. chap. 10. sect. 4.
[75] Justin. Apol. 2. p. 98. Vid. Justinian. Novel. 123. cap. 36. Aut sanctam eis communionem portandam.
[76] Book XV. chap. 2. sect. 5.
[77] Maurice of Diocesan Episcopacy, p. 39.
[78] Ap. Euseb. lib. 5. cap. 24.
[79] Vales. in locum.
[80] Acta Lucian. ap. Metaphrast. 7. Jan.
[81] Paulin. Ep. 1. ad Severum.
[82] Conc. Laodic. can. 13. *Περὶ τοῦ μὴ τὰ ἅγια εἰς λόγον εὐλογιῶν κατὰ τὴν ἑορτὴν τοῦ πάσχα εἰς ἑτέρας παροικίας διαπέμπεσθαι.*
[83] Mosch. Pratum Spiritual. cap. 29.

the names of *eulogiæ* and *panis benedictus*, consecrated bread, which the modern Greeks call ἀντίδωρα, vicarious gifts, because they were given in many cases instead of the eucharist. It has been observed[84] already, that they were often given to such as would not communicate, when the ancient fervour of popular and general communions began to decay. Here we are to observe, that they were used to be sent from one country to another instead of the eucharist, as testimonies of their amity and affection. Some not improbably[85] thus understood that canon of the council of Laodicea,[86] which forbids any to receive the *eulogiæ*, or blessings of heretics, which were to be reckoned curses and absurdities rather than blessings. As also that other canon[87] which forbids them to receive either from Jews or heretics, τὰ πεμπόμενα ἑορταστικὰ, such gifts or presents as were used to be sent in festivals. Of this kind was that bread which Paulinus[88] and Therasia sent to St. Austin as a testimony of their unanimity and cordial affection, which they desire him to bless by his acceptance. Some learned men mistake when they say the sending of the eucharist came in the room of this: for it was plainly the reverse: these *eulogiæ* were invented in the room of the eucharist, as appears from the testimony of Irenæus, which speaks of sending the eucharist as the more ancient custom.

Sect. 9. And to those that were sick, or in prison, or under any confinement, or in penance at the point of death.

Among the absent members of the church they had a more especial regard to those that were sick, or in prison, or under any confinement, as the martyrs and confessors, who daily expected their dissolution; and such also of the penitents as were seized with sickness and in imminent danger of death. To all these they commonly sent the eucharist, which in this case is more peculiarly styled the ἐφόδιον, or *viaticum*, their preparation or provision for their journey into the next world. Thus in the council of Nice[89] there is a canon which orders, that all penitents should have their necessary and final ἐφόδιον or *viaticum*, when they were at the point of death. Which though Albaspinæus[90] interpret only of absolution, yet all others with better reason understand it of the eucharist, because it is added in the end of the canon, that the bishop shall impart the oblation to them. And so the council of Agde says,[91] the *viaticum* shall not be denied to any penitents at the point of death. The first council of Vaison[92] makes a provision for such penitents as were snatched away by sudden death without the *viaticum* of the sacrament, whilst they were preparing for it, that their oblations should be received, and their funerals and memorials celebrated according to the rites of the church. And the 11th council of Toledo[93] makes another provision for such as by reason of extreme weakness could not take the whole *viaticum* of the communion, nor swallow the bread, but only drink the cup, that since this proceeded not from any infidelity, but from mere infirmity, they should not be cut off from the body of the church. The fourth council of Carthage mentions it in several canons, and in one canon particularly[94] speaks of a very remarkable case, which sometimes happened, that a penitent who desired to be admitted to penance in time of sickness, was sometimes suddenly taken speechless, or turned delirious by the paroxysm of his distemper, before the priest could come to him: in which case, if they that heard him could testify his desire, he was to be admitted: and if it was thought he would immediately die, he was to be reconciled by imposition of hands, and then the eucharist was to be poured into his mouth. Which is called the *viaticum* of the eucharist[95] in the two following canons. As it is also in the council of Orange[96] and Girone,[97] and many other places. The eucharist in these cases was commonly carried and delivered by a presbyter or a deacon, as has been noted out of Justin Martyr: yet in cases of great necessity it might be carried and given by any other. As appears from that case in Eusebius,[98] related out of an epistle of Dionysius, bishop of Alexandria, to Fabian, bishop of Rome, where he tells of one Serapion,

[84] See before in this chapter, sect. 3.

[85] Habert. Archieratic. par. 11. obser. 3.

[86] Conc. Laodic. can. 31. vel 32. Οὐ δεῖ αἱρετικῶν εὐλογίας λαμβάνειν, αἵτινές εἰσιν ἀλογίαι μᾶλλον ἢ εὐλογίαι.

[87] Ibid. can. 37.

[88] Paulin. Ep. 31. inter Epist. Aug. Panem unum, quem unanimitatis indicio misimus charitati tuæ, rogamus accipiendo benedicas. Vid. Aug. Ep. 34. ad Paulinum.

[89] Conc. Nic. can. 13.

[90] Albaspin. Not. in locum.

[91] Conc. Agathen. can. 15. Viaticum tamen omnibus in morte positis non est negandum.

[92] Conc. Vasens. 1. can. 2. Nefas est eorum commemorationes excludi a salutaribus sacris, qui ad eadem sacra fideli affectu contendentes—absque sacramentorum viatico intercipiantur, &c.

[93] Conc. Tolet. 11. can. 11. In multorum exitu vidimus, qui optatum suis votis sacræ communionis viaticum expetentes, collatam sibi a sacerdote eucharistiam rejecerunt. Non quod infidelitate hæc agerent, sed quod præter Dominici calicis haustum, traditam sibi non possent eucharistiam deglutire. Non ergo hujusmodi a corpore ecclesiæ separandi sunt, &c.

[94] Conc. Carth. 4. can. 76. Is qui pœnitentiam in infirmitate petit, si casu, dum ad eum sacerdos invitatus venit, oppressus infirmitate obmutuerit, vel in phrenesim versus fuerit, dent testimonium qui eum audierunt, et accipiat pœnitentiam. Et si continuo creditur moriturus, reconcilietur per manus impositionem, et infundatur ori ejus eucharistia, &c.

[95] Can. 77. Pœnitentes qui in infirmitate sunt, viaticum accipiant. Can. 78. Pœnitentes qui in infirmitate viaticum acceperint, non se credant absolutos sine manus impositione, si supervixerint.

[96] Conc. Arausican. 1. can. 3.

[97] Conc. Gerundens. can. 9.

[98] Euseb. lib. 6. cap. 44.

who having sacrificed in time of persecution, could not die till he had sent for the presbyter to reconcile him: but the presbyter, being sick, sent him a small portion of the eucharist by the hands of the messenger that came for him, giving him orders to dip it first and put it into his mouth, which he had no sooner done, but the man gave up the ghost in peace. But this was forbidden by the canons[99] in ordinary cases.

Sect. 10. The eucharist sometimes consecrated in private houses for these purposes.

Sometimes indeed they used private consecrations of the eucharist in the houses of sick men or in prisons, to answer these pious ends and purposes: but most commonly they reserved some small portion of it in the church from time to time for this use, as most expeditious and convenient for sudden accidents and emergencies. There are very ancient instances and examples of both kinds. Cyprian speaks of private consecrations made in prisons for the martyrs and confessors in time of persecution. For he gives orders, that neither should the people visit them *glomeratim*, in great multitudes, to raise envy; nor the presbyters, who went to offer[100] the eucharist with them, go more than one at once, and that by turns, accompanied only with a single deacon, to decline envy and observation. There is nothing more certain, than that in times of persecution the Christians performed all Divine offices in every place whither necessity drove them: every place was then a temple, as Dionysius[101] of Alexandria words it in Eusebius, for them to hold religious assemblies in, whether it were a field, or a wilderness, or a ship, or an inn, or a prison. Lucian's prison was his church, and his own breast his altar to consecrate the eucharist upon, for himself and those that[102] were with him in confinement. In such a case, Tertullian[103] says, Three were enough to make a church, when necessity would not allow them a greater number. It is as evident private consecrations were made in private houses upon the account of sickness. St. Ambrose was thus invited to offer the sacrifice in a private house at Rome, as we are told by the writer of his Life.[104] And Paulinus, bishop of Nola, is said to have ordered an altar to be prepared for himself in his chamber, where he consecrated the eucharist[105] in his sickness not many hours before his death. Thus Gregory Nazianzen[106] tells us, that his father consecrated it in his own chamber; and that his sister Gorgonia[107] had a domestic altar. Therefore we have no dispute with Bona upon this point, nor should we have any with his church, if this were all that were meant by private mass in the Roman communion. The reader may hence observe the mistake of those learned men,[108] who assert, that the primitive fathers, though passionately indulgent towards their sick brethren in granting them their spiritual *viaticum*, yet always took a care that the elements should be consecrated in the church. For the instances that have been given, both concerning the martyrs and the sick, are undeniable evidence to the contrary. And there want not some instances of private consecrations upon other occasions; such as that mentioned by St. Austin in a private house at Zubedi, a place in his diocese, which was vexed with evil spirits, whither one of his presbyters went to pray and offer the sacrifice[109] of the body of Christ, at the request of the owner, that it might be delivered from them. And what the historians[110] tell us of Constantine's tabernacle, which he carried about with him in his camp, where all Divine offices and the holy mysteries were celebrated, may be reckoned another instance of such private consecrations.

Sect. 11. And commonly reserved in the church for the same use.

It was also very usual for the ministers to reserve some part of the consecrated elements either in the church, or with them at their own house, to be in great readiness upon all such pressing occasions. As is evident from the forementioned story of Serapion in Eusebius. And Optatus[111] intimates as much in that remarkable story which he tells of the Donatist bishops, who, in their mad zeal against the catholics, threw the eucharist, which they found in their churches, to the dogs, but not without an immediate sign of Divine vengeance; for the dogs, instead of devouring the elements, fell upon their masters, as if they had never known them, and tore them to pieces, as robbers and profaners of the holy body of Christ. The same is evident from the like complaint of Chrysostom concerning the tumult that happened in his church at Constantinople, when the soldiers broke into the sanctuary[112] where the holy mysteries were reposited, and many

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[99] Vid. Gratian. de Consecr. Dist. 2. cap. 29.

[100] Cypr. Ep. 5. ad Cler. p. 11. Presbyteri quoque, qui illic apud confessores offerunt, singuli cum singulis diaconis per vices alternent: quia et mutatio personarum et vicissitudo convenientium minuit invidiam.

[101] Ap. Euseb. lib. 7. cap. 22.

[102] Vita Luciani, Philostorg. lib. 2. cap. 13.

[103] Tertul. de Fuga, cap. 14. Non potes discurrere per singulos, sit tibi et in tribus ecclesia.

[104] Paulin. Vit. Ambros. Per idem tempus cum trans Tyberim apud quendam clarissimum invitaretur, ut sacrificium in domo offerret, &c.

[105] Uranius, Vit. Paulini.

[106] Naz. Orat. 19. de Laud. Patris, p. 305.

[107] Ibid. 11. de Gorgonia, p. 187.

[108] Hamon L'Estrange, Allian. of Div. Offic. chap. 10. p. 299.

[109] Aug. de Civ. Dei, lib. 22. cap. 8. p. 1485. Perrexit unus, obtulit ibi sacrificium corporis Christi, orans quantum potuit, ut cessaret illa vexatio: Deo protinus miserante cessavit.

[110] Euseb. Vit. Const. lib. 4. c. 56. Sozom. lib. 1. cap. 8.

[111] Optat. lib. 2. p. 55.

[112] Chrys. Ep. ad Innocent. t. 4. qu. 681. Ἔνθα τὰ ἅγια ἀπέκειντο, κ.τ.λ.

of them who were not initiated, saw the secrets that were concealed within, and the holy blood of Christ was spilt upon the soldiers' clothes, as is usual in such tumults and confusion. We may collect the same from what Victor Uticensis[113] says of Valerian, an African bishop, that he was banished by Geisericus, king of the Vandals, because he would not deliver up the sacrament that was kept in his church. Cyril of Alexandria, in one of his epistles,[114] reproves those who said the eucharist was not to be reserved to the next day. And in the council of Constantinople under Mennas,[115] there is mention made of silver and golden doves hanging at the altar, which most probably were then used as the repositories of the sacrament kept in the churches. Which is also mentioned in Amphilochius's Life of St. Basil, but no stress need be laid upon that, because it is a spurious writing; nor need we descend to the second council of Tours,[116] or other modern decrees, for the proof of that which has so good authority among the more ancient writers.

Sect. 12. And also for public use upon some days when they made no new consecration. This called *missa præsanctificatorum*. Its use and original.

It appears also from a canon of the council of Trullo, that the eucharist was sometimes reserved for the public use of the church, to be received some days after its consecration, particularly in the time of Lent, when they communicated on such elements as had been consecrated the Saturday or Sunday in the foregoing week, which were the only days in Lent on which they used the consecration service, though they communicated on other days on such elements as they reserved out of the former consecration. The words of the canon are these,[117] That on every day in the holy fast of Lent, except Saturdays and Sundays, and the feast of the Annunciation, the liturgy of the presanctified gifts shall be performed. This is best understood from another canon of the council of Laodicea,[118] which orders, that the eucharist should not be offered in Lent on any other day except the sabbath and the Lord's day. Not that they prohibited the communion to be received on other days, (for it was received every day,) but on these days they received only that which had been consecrated before on the sabbath and Lord's day, and what was reserved for the communion of these days without any new consecration. This is commonly reckoned by learned men the beginning of this sort of communions upon reserved hosts, though it is hard to guess at the reason of the observation. Leo Allatius, who has written[119] two peculiar dissertations upon this subject, tells us the reason which the Greeks themselves allege for it is, that the consecration service is proper only for festivals, and therefore, all other days in Lent besides Saturdays and Sundays being fast days, they did not consecrate on those days, but only communicated in the elements which had been consecrated before. This he shows at large[120] out of Alexius Aristenus, Matthew Blastares, Balzamon, Zonaras, Michael Cerularius, and Simeon Thessalonicensis. Whether this was the true reason, or whether it be a good reason, is none of my business to inquire. I only observe, that it was an ancient practice in the Greek church, as it continues to be at this day,[121] though the Latin church never adopted it into her service: for they used to consecrate, as well as communicate, about three in the afternoon, all the days of Lent, as is evident from Tertullian,[122] St. Ambrose,[123] and many others, of which there will be occasion to speak more fully when we come to the fasts and festivals of the church. Leo Allatius thinks this *missa præsanctificatorum* is intended by Socrates,[124] when he says, On Wednesdays and Fridays at Alexandria they had all Divine service except the consecration of the eucharist: but it does not appear that they communicated at all upon those days, much less upon preconsecrated elements. However, he rightly concludes, that Durantus and others, who confound this *missa præsanctificatorum* with the *missa sicca*, or dry mass, as they called it, are wholly mistaken: because dry mass was a corruption peculiarly crept into the Latin church, which was condemned by many of their own divines, Eckius, Estius, Laudmeter, and the Belgic bishops,[125] as a mere novelty, a counterfeit, and a perfect piece of pageantry; whereas this *missa præsanctificatorum* was an ancient and approved usage of the Greek church, upon the account of which a certain portion of the consecrated elements were reserved for the public use of the church upon those days of Lent, on which they made no new consecration.

Sect. 13. The eucharist sometimes reserved in private by private men for daily participation.

But besides this reservation of the elements for public use by the ministers of the church, there was another private reservation of them allowed sometimes to religious persons, who were permitted to carry a portion of the eucharist home with them, and participate of it every day by themselves in

113 Victor. de Persecut. Vandal. lib. 1. Bibl. Patr. t. 7. p. 593.

114 Cyril. Ep. ad Calosyrium, in Præfat. lib. cont. Anthropomorph. t. 6. p. 365.

115 Conc. sub Menna, Act. 5. t. 5. p. 159.

116 Conc. Turon. 2. can. 3.

117 Conc. Trullan. can. 52. Ἡ τῶν προηγιασμένων ἱερὰ λειτουργία γινέσθω.

118 Conc. Laodic. can. 49. Οὐ δεῖ τεσσαρακοστῇ ἄρτον προσφέρειν, εἰ μὴ ἐν σαββάτῳ καὶ κυριακῇ μόνον.

119 Leo Allat. Epist. ad Naudæum de Libris Eccles. Græcorum. It. Dissert. de Missa Præsanctificatorum, ad calcem Libri de Consensu Eccl. Orient. et Occident.

120 Leo Allat. de Missa Præsanctif. n. 12.

121 See Dr. Smith of the Greek Church, p. 175.

122 Tertul. de Orat. cap. 14.

123 Ambros. Ser. 8. in Psal. cxviii. p. 656.

124 Socrat. lib. 5. cap. 22. ap. Allatium. Ep. ad Naudæum.

125 Allat. de Missa Præsanct. n. 10. Missa sicca, recens, et simulata et histrionica, confertur cum cœnis Heliogabali.

private. This custom seems to owe its original to the times of persecution, when men were willing to communicate every day, but could not have the convenience of daily assemblies. To compensate for the want of which, they took a portion of the eucharist home with them, and participated thereof every day in private. This seems very plainly to be intimated by Tertullian,[126] when, speaking of a woman marrying a heathen husband, he asks her, Whether her husband would not know what it was that she eat before all her other meat? And in another place,[127] answering the objection which some made against receiving the eucharist on a fast day, for fear of breaking their fast, he tells them, (according as some copies read it,) They might take the body of the Lord and reserve it; and so they might both participate of the sacrifice and fulfil their duty of fasting. But I lay no stress upon this, because it is a doubtful reading. The testimony of Cyprian is more full and pregnant,[128] who tells us a most remarkable story of a woman, who having sacrificed at the heathen altars, when she came afterward to open her chest, where she kept the holy sacrament of the Lord, she was so terrified with a sudden eruption of fire, that she durst not touch it. And the ancient author who writes against the Roman shows, under the name of Cyprian,[129] brings in one going immediately from church, as soon as he was dismissed, to the theatre, carrying the eucharist with him, according to custom, even among the obscene bodies of harlots. Gregory Nazianzen also [130] speaks of his sister Gorgonia having the eucharist in her chamber. And Basil says,[131] it was customary in times of persecution for Christians, when they could not have a priest or a deacon present with them, to take the eucharist with their own hands; as they who led a solitary life, at a great distance from the priest, commonly took the eucharist with their own hands also. And it was customary at Alexandria and throughout Egypt for the people every one to take the sacrament home with them. St. Jerom [132] also intimates the same, when he asks those who thought they might safely take the sacrament at home, when they were not prepared to do it in the church, whether they thought there was one Christ in public, and another in private? Why were they afraid to go to church? If it was not lawful to receive it in the church, it was not lawful to receive it at home. St. Ambrose likewise, in his funeral oration upon his brother Satyrus, says of him,[133] that he obtained the body of Christ of some that had it in the ship, wherein he suffered shipwreck. It is true indeed this custom was discouraged in Spain in the beginning of the fifth century, upon the account of the Priscillianists, who made use of it as a pretence to cover themselves among the catholics, and yet never eat the eucharist at all. In opposition to whom the council of Saragossa,[134] about the year 381, made a severe decree, that if any one was found to take the eucharist in the church, and not eat it, he should be anathematized. And this was seconded by a like decree[135] in the first council of Toledo. But as these canons were only made upon a particular occasion, and for a particular country, they did not much affect the rest of the world. Insomuch that Bona himself observes,[136] out of Johannes Moschus and Anastasius Bibliothecarius, several instances of the custom continuing in the seventh and eighth centuries. And doubtless it was the doctrine of transubstantiation, and the adoration of the host, that perfectly abolished this custom, which was thought inconsistent with them.

Sect. 14. Yet this never allowed in the public service.

It must be noted under this head, that though the church, for the reasons aforesaid, allowed the people to carry the eucharist home with them, and participate of it in private by themselves; yet she never permitted any layman to have any hand in the administration of it in her public service. As the bishops and presbyters were the only persons that were allowed to consecrate the eucharist, so it was the ordinary office of deacons to minister it to the people.[137] And when any laymen presumed to administer it to themselves in the church, they were corrected for it by ecclesiastical censures.[138] And more especially women were debarred from this [139] and all other offices in the public ministrations, except what belonged to the inferior service of the

[126] Tertul. ad Uxor. lib. 2. c. 5. Non sciet maritus quid secreto ante omnem cibum gustes?

[127] De Orat. cap. 14. Accepto corpore Domini, et reservato, (others read it, re servata,) utrumque salvum est, et participatio sacrificii, et executio officii.

[128] Cypr. de Lapsis, p. 132. Cum quædam mulier arcam suam, in qua Domini sanctum fuit, indignis manibus tentasset aperire, igne inde surgente deterrita est, ne auderet attingere.

[129] Cypr. de Spectaculis, p. 3. in Append. Qui festinans ad spectaculum, dimissus, et adhuc gerens secum, ut assolet, eucharistiam inter corpora obscœna meretricum tulit.

[130] Naz. Orat. 11. de Gorgonia, p. 187.

[131] Basil. Ep. 289. ad Cæsariam Patriciam.

[132] Hieron. Ep. 50. ad Pammachium. Quare ad martyres ire non audent? Quare non ingrediuntur ecclesias? An alius in publico, alius in domi Christus est? Quod in ecclesia non licet, nec domi licet.

[133] Ambros. Orat. de Obitu Fratris, t. 3. p. 19.

[134] Conc. Cæsaraugust. can. 3. Eucharistiæ gratiam si quis probatur acceptam in ecclesia non sumpsisse, anathema sit in perpetuum.

[135] Conc. Tolet. 1. can. 14. Si quis acceptam a sacerdote eucharistiam non sumpserit, velut sacrilegus propellatur.

[136] Bona, Rer. Liturg. lib. 2. cap. 17. n. 4.

[137] See Book II. chap. 20. sect. 7 and 8.

[138] Conc. Trullan. can. 58.

[139] Vid. Firmil. Ep. 75. inter Epist. Cypr. Conc. Paris. an. 829. lib. 1. cap. 45.

deaconesses, of which I have given a full account[140] in another place.

Here I cannot omit the pertinent observation made by Morinus,[141] and approved by Bona[142] as a judicious and true remark, That the Mendicants were the first that introduced the custom of keeping the sacrament in the church for private men in health to partake of *extra sacrificium*, out of the time of public service in the church. They freely own this to be a novelty, and that against the rules of the Roman ritual, which orders the sacrament to be kept in the church only for the sick. They say, the ancients kept it in the church only upon this account, for the sake of the sick; and that they allowed no use of the communion to men in health out of the time of the oblation, save only when they permitted the people to carry it home with them, and participate thereof in private, which was a different thing from public communicating in the church.[143]

Sect. 15. A novel custom noted, of reserving the eucharist for forty days, and the inconveniencies attending it.

Whilst we are speaking of reserving the sacrament, it may not be amiss to make a remark by the way upon a novel custom, which is related by some of the Roman ritualists about the time of Charles the Great. They tell us, it was usual in those days, in the ordination of a bishop or presbyter, not only to give the new ordained person the communion at that time, but also as much of it in reserve as would serve him to partake of for forty days after. This custom is mentioned by Alcuin,[144] and the Ordo Romanus, and Fulbertus Carnotensis, and Bona[145] does not pretend to find it in any more ancient writers. It is hard to guess at the reasons of this custom, and therefore I content myself barely to mention it, without further inquiry into the mystery of it. I only observe, that sometimes great inconveniences followed upon this long reservation of the sacrament; for it would often grow mouldy, corrupt, and stink, and then they were hard put to it to determine which way to dispose of it. Sometimes by the negligence of the priest it was devoured by mice or other animals, in which case the priest was to do penance forty days for his neglect, as Gratian[146] cites a canon out of some council of Arles or Orleans to this purpose. But if it grew stale and corrupted, then it was to be burnt, by other canons cited by Ivo[147] and Burchardus[148] out of the council of Arles, ordering, that in this case it should be burnt, and the ashes of it buried under the altar. Which Algerus[149] assures us was the custom in his time, as Bona[150] confesses out of him. And the very canon of the mass[151] has a rubric still in being, That if a fly or spider, or any such animal, falls into the cup after consecration, the priest, when mass is ended, must take it out and wash it with wine, and burn it in the fire. And so he must do if it be spilt upon the ground, he must gather up the earth and burn it. And yet some of the schoolmen[152] cry out against this as an horrible sacrilege, to burn the consecrated host, though it be grown mouldy, which, according to their opinion, would be to burn the body of God. He that would see to what difficulties the Roman casuists are driven upon this point, to tell what becomes of the body of Christ when the sacrament happens to be thus corrupted, and how they distress and confute one another; may consult the learned Aubertin,[153] who has particularly considered their several different answers, no less than seven in number, and showed the vanity of them all, in that elaborate work of his upon the eucharist, against the doctrine of the Romish church. I will not lead my reader too far out of his way with long digressions about such things, but return to the business of the ancient church.

Sect. 16. The eucharist sometimes given to energumens in the intervals of their distemper.

Though they did not receive energumens, or persons vexed with evil spirits, promiscuously to the communion, yet neither did they wholly reject them; but in the intervals of their distemper, if they showed any signs of piety and sobriety, they admitted them to partake of it. This we learn from the canons of Timothy, bishop of Alexandria, who proposes this question, Whether a communicant may communicate if he be possessed? and answers it, If he does not expose or blaspheme[154] the mysteries, he may communicate now and then.

[140] Book II. chap. 22.

[141] Morin. de Pœniten. lib. 8. cap. 14.

[142] Bona, Rer. Liturg. lib. 2. cap. 17. n. 6.

[143] The reader that would see more abuses crept into the Roman service, may consult the twenty-first session of the council of Basil. cap. de Spectaculis in Ecclesia non faciendis, or Mr. Gregory's dissertation, called Episcopus Puerorum, where he will see how the episcopal office was used to be mimicked in pageantry on Innocents' day in many churches.

[144] Alcuin. de Offic. cap. 37. Pontifex ad communicandum porrigit ei formatam et sacram oblationem, quam accipiens communicat super altare, cætera vero reservat sibi ad communicandum usque ad dies quadraginta. It. Ordo Roma. in Ordinat. Episcopi. Et Fulbert. Ep. ad Finardum.

[145] Bona, Rer. Liturg. lib. 1. cap. 23. n. 9.

[146] Gratian. de Consecrat. Dist. 2. cap. 94. Qui bene non custodierit sacrificium, et mus vel aliquod aliud animal illud comederit, quadraginta diebus pœniteat.

[147] Ivo, Decret. par. 2. cap. 56.

[148] Burchard. lib. 5. c. 50.

[149] Alger. de Euchar. lib. 2. cap. 1.

[150] Bona, Rer. Liturg. lib. 2. cap. 19. n. 2.

[151] Missal. de Defectibus Missæ, can. 10. Si musca vel aranea vel aliquid aliud ceciderit in calicem——sacerdos extrahat eam et lavet cum vino, finitaque missa comburat, &c.

[152] Petrus Paludanus, in Sent. lib. 4. Dist. 9. Quæst. 1. art. 3. Hostias consecratas quamvis mucidas comburere immane sacrilegium.

[153] Albertin. de Euchar. lib. 1. c. 19. p. 122.

[154] Timoth. Respons. Canon. c. 3. ap. Bevereg. t. 2.

And Cassian[155] says, the same resolution was given to the question by the Egyptian fathers, who did not choose to interdict them the communion, but rather desired they should, if possible, communicate every day. For by this means they had relieved one abbot Andronicus and many others of their distemper. So that though the canons and rules of the church seem to drive away the energumens together with the catechumens and penitents, they are to be understood with this exception; or at least we must say, the church observed a different discipline in different places.

Sect. 17. All men debarred from it, that were guilty of any notorious crime, of what rank or degree soever.

It would be endless to enumerate here all the particular crimes for which men were debarred the holy communion; we shall have a more proper occasion to specify them in the next volume, when we come to treat more perfectly and distinctly of the church's discipline: it may be sufficient to note here in general, that all who were guilty of any notorious crimes, were rejected from participating at the holy table, whatever rank or degree they were of, even though it were the emperor himself, as appears from the case of Theodosius, whom St. Ambrose resolutely and absolutely refused, for a barbarous murder committed by his authority upon seven thousand men at Thessalonica, till he had both confessed his fault, and made ample satisfaction; as the reader may find the story at large excellently related by Theodoret[156] in his History, and which I will relate from him in the next volume in its proper place. Some other particular cases are proposed and answered in the canons of Dionysius,[157] and Timothy,[158] and by St. Jerom,[159] which because they are rather private cases of conscience than matters of public discipline, I refer the reader to their proper authors for them.

Sect. 18. The question of digamy, or second marriage stated. Whether it debarred men any time from the communion.

There is one question in a doubtful case, which the obscurity of some ancient canons has made very perplexed and intricate in the resolutions of learned men, which therefore may not be silently passed over: that is, the question about digamy or second marriage, in what sense it excluded men for some time from the holy communion? The penalty inflicted upon them, is abstinence from the sacrament for one year or two; which I freely own, as it is ordered and worded by the canons of Neocæsarea,[160] Laodicea,[161] and St. Basil,[162] is one of the hardest cases we meet with in all the history of the ancient church. Bishop Beveridge and some others think they mean only second marriages that are contracted whilst the first remains undissolved. And if so, there would be no difficulty in the case; for a severer penance might be laid upon such as retain two wives at once. And therefore others think, they intended to discourage, though not absolutely to forbid, second marriages made successively after the obligation of the first was cancelled by death: but then, how to reconcile this with the apostolical rules, is not very easy to determine. Neither can it be excused from inclining to the errors of the Novatians and Montanists, for which Tertullian pleads so stiffly against the church in his book De Monogamia, and other places. I should rather think these canons intended no more but to discountenance marrying after an unlawful divorce, which was a scandalous practice, however allowed by the laws of Jews and Gentiles. And this the rather, because Tertullian's arguments against the catholics imply, that they allowed of second marriages successively in all except the clergy, and many churches admitted digamists (in that sense) even into orders too, as I have showed out of Tertullian himself, and Chrysostom, and Theodoret more fully[163] in another place. And if these canons intended any thing more, they must be looked upon as private rules, which could not prescribe against the general sense and practice of the catholic church.

Sect. 19. The corrupt custom of some, who gave the eucharist to the dead, censured by the ancients.

There was one very corrupt and superstitious practice began to creep pretty early into the African churches and some others, which the fathers censure very heartily, as it justly deserved: that was, giving the eucharist to the dead. The third council of Carthage has a canon to this purpose,[164] That the eucharist should not be given to the bodies of the dead: for the Lord said, "Take this and eat:" but dead bodies can neither take nor eat. Caution also is to be used, that the brethren may not through ignorance believe, that dead bodies may be baptized, seeing the eucharist may not be given to them. And this with a little variation is repeated in the African Code,[165] where the cause of both errors, as well in baptism as the eucharist, is ascribed to the ignorance of the presbyters mis-

155 Cassian. Collat. 7. cap. 30. Communionem vero eis sacrosanctam a senioribus nostris nunquam meminimus interdictam: quinimo, si possibile esset, etiam quotidie eis impartire eam debere censebant.——Hoc namque modo curatum et Andronicum abbatem nuper aspeximus, aliosque quamplures.

156 Theod. lib. 5. cap. 17.

157 Dionys. can. 2 et 4.

158 Timoth. can. 5, 7, 12.

159 Hieron. Ep. 20. ad Pammach. cap. 6.

160 Conc. Neocæs. can. 7.

161 Conc. Laod. can. 1.

162 Basil. can. 4.

163 Book IV. chap. 5. sect. 4.

164 Conc. Carth. 3. can. 6. Placuit ut corporibus defunctorum eucharistia non detur. Dictum est enim a Domino, Accipite et edite: cadavera autem nec accipere possunt nec edere. Cavendum est etiam, ne mortuos baptizari posse fratrum infirmitas credat, quibus nec eucharistiam dari licitum est.

165 Cod. Afric. can. 18.

guiding the people. A like canon was made in the council of Auxerre in France, anno 578, a little[166] before the time of Gregory the Great; which shows that the same abuse had got some footing there also. St. Chrysostom also speaks against it,[167] though he does not intimate that it was practised by any catholics, but rather (if by any) by the Marcionite heretics, who, as they gave a vicarious baptism to the living for the dead, so perhaps might give the eucharist to the dead themselves; both which absurdities he refutes at once from the words of our Saviour. To whom did he say, "Except ye eat my flesh, and drink my blood, ye have no life in you?" Did he speak to the living, or to the dead? And again, "Except a man be born of water and of the Spirit, he cannot see the kingdom of God." It appears also, that long after St. Chrysostom's time there were some remains of this error in the Greek church: for the council of Trullo[168] repeats the prohibition in the words of the council of Carthage: Let no one impart the eucharist to the bodies of the dead; for it is written, "Take, and eat;" but the bodies of the dead can neither take nor eat.

Sect. 20. Parallel to which is the abuse of burying the eucharist with the dead.

Bona does not undertake to defend this abuse, but he does another which is no less absurd, because he found it in the practice of St. Benedict, and related with approbation by Gregory the Great; that is, the custom of burying the eucharist with the dead. Bona says,[169] this was done by St. Basil in the Greek church, as is reported in his Life; but all men know the author of that Life to be both a spurious and a legendary writer. That which he alleges out of Gregory is more authentic;[170] for he says, St. Benedict ordered the communion to be laid upon the breast of one of his monks, and to be buried with him. He reckons these things were done either by Divine instinct, or by compliance with received custom, which is since abrogated. But he produces no rule of his church to show its abrogation. And whatever rules there may be to the contrary, it is certain the practice continued still. For not only Balzamon[171] and Zonaras speak of it in their time; but Ivo says,[172] When the body of St. Othmar was translated, the sacrament was taken up out of the dormitory with him. And a learned man[173] now living assures us, that he himself with many others have seen the chalice in which the sacred blood was buried, dug out of the graves of divers bishops buried in the church of Sarum. So that whatever the laws might prohibit, the profanation continued under pretence of piety among the greatest men, but without any foundation or real example in the practice of the primitive church.

Sect. 21. The order of communicating.

We have hitherto considered what related to the communicants themselves; we are now to examine the manner of their communicating. Where first of all the order of their communicating occurs to our observation; which is thus described in the Constitutions: First let the bishop receive,[174] then the presbyters, deacons, subdeacons, readers, singers, and ascetics; among the women, the deaconesses, virgins, and widows; after that the children, then all the people in order. In Justin Martyr's time,[175] when the bishop had consecrated, the deacons distributed both the bread and the cup among the communicants; but in after ages the bishop or presbyter commonly ministered the bread, and the deacons the cup after them. And there are some canons that expressly[176] forbid a deacon to minister the body of Christ, when a presbyter is present, and others enjoining them not[177] to do it without necessity, and a licence from the presbyter to do it. And it was ever accounted so great an absurdity for a presbyter to receive from the hands of a deacon, that the council of Nice[178] thought fit to make a particular canon to forbid it. But by permission and custom it became their ordinary office to minister the cup,[179] and sometimes both species[180] to the people, observing the method prescribed to communicate every one in their proper order.

Sect. 22. Some rules observed for distinction of places.

Another distinction was made in placing the communicants in their proper stations. For though no distinction was made in this case between rich and poor; they being all called alike to partake together of the same communion, as friends of one common Lord;[181] yet some distinction of place for order's sake was generally observed, though not exactly the same in all places, but with some variety according to the different customs of different churches. In the Spanish churches it was customary for the presbyters and deacons to communicate at the altar, and the rest of the clergy in the quire,

[166] Conc. Antissiodor. can. 12. Non licet mortuis nec eucharistiam nec osculum tradi, &c.

[167] Chrys. Hom. 40. in 1 Cor. p. 688.

[168] Conc. Trull. can. 133.

[169] Bona, Rer. Liturg. lib. 2. cap. 17. n. 6.

[170] Greg. Dial. lib. 2. cap. 24. Jussit communionem Dominici corporis in pectus defuncti reponi atque sic tumulari.

[171] Not. in can. 83. Conc. Trull.

[172] Ivo, Vita Othmari, lib. 2. c. 3. ap. Surium, die 16 Nov.

[173] Dr. Whitby, Idolatry of Host Worship, chap. 1. p. 26.

[174] Constit. lib. 8. cap. 13. [175] Justin. Apol. 2. p. 97.

[176] Conc. Arelat. 2. can. 15. Diaconi corpus Christi, præsente presbytero, tradere non præsumant.

[177] Conc. Carthag. 4. can. 38. Diaconus, præsente presbytero, eucharistiam corporis Christi populo, si necessitas cogat, jussus eroget.

[178] Conc. Nic. can. 18.

[179] Vid. Cyprian. de Lapsis, p. 132. Constit. lib. 8. c. 13.

[180] Conc. Ancyr. can. 2.

[181] Vid. Chrysost. Hom. 10. in 1 Thess. p. 1485.

and the people without the rails of the chancel, as is plain from a canon of the fourth council[182] of Toledo; and to this a reference is made, as to an ancient custom, settled long before by former canons, in the first council of Braga.[183] Which implies that there were rules of old about this matter, since the council of Braga could not mean the council of Toledo, for that was after it, anno 633. The reference must be to more ancient canons, such as that of the council of Laodicea, which[184] orders, That none but the clergy only should come to communicate within the chancel. And this seems to have been the constant practice of the Greek church, where no layman from that time, besides the emperor, was allowed to come to the altar to make his oblations, and communicate there; but this privilege was allowed the emperor by ancient tradition,[185] as the council of Trullo words it. And yet even this was denied the emperor in the Italic church. For St. Ambrose would not permit the emperor Theodosius himself to communicate in this place, but obliged him to retire as soon as he had made his oblations at the altar. But Valesius[186] has observed out of the epistles of Dionysius, bishop of Alexandria, that in the third century it was customary both for men and women to come and stand at the altar to communicate: and Mabillon shows[187] out of Gregory of Tours,[188] that the same custom prevailed in the Gallican churches. And it is very evident from the second council of Tours, which has a canon to this purpose: That though laymen at other times should not come into the chorus or chancel, yet when the oblation was offered,[189] both men and women might come into the holy of holies to communicate at the altar. So that this was plainly one of those rites which varied according to the difference of times and places, and the various usages and customs of different churches. There are a great many other customs relating to the manner of communicating, which are of greater moment, and become matters of great dispute in these latter ages, and therefore it will be necessary to consider and examine them a little more particularly, which I shall do in the following chapter.

CHAPTER V.

A RESOLUTION OF SEVERAL QUESTIONS RELATING TO THE MANNER OF COMMUNICATING IN THE ANCIENT CHURCH.

Sect. I. That the people were always admitted to receive in both kinds.

THE first and most momentous question of this kind is, whether the people, and such of the clergy as did not consecrate, were generally admitted to communicate in both kinds? The principal advocates of popery at the beginning of the Reformation[1] were not willing to own, that the universal practice of the primitive church was against the modern sacrilege of denying the cup to the people: and therefore, though they confessed there were some instances in antiquity of communion under both kinds, yet they maintained, the custom was not universal. So Eckius, and Harding, and many others. But they who have since considered the practice of the ancient church more narrowly, are ashamed of this pretence, and freely confess, that for twelve centuries there is no instance of the people's being obliged to communicate only in one kind, in the public administration of the sacrament,[2] but in private they think some few instances may be given. This is Cardinal Bona's distinction, whose words are so remarkable, that I cannot forbear to transcribe them: It is very certain, says he, that anciently all in general, both clergy and laity, men and women, received the holy mysteries in both kinds, when they were present at the solemn celebration of them, and they both offered and were partakers. But out of the time of sacrifice, and out of the church, it was customary always and in all places to communicate only in one kind. In the first part of the assertion all agree, as well catholics as sectaries; nor can any one deny it, that has the least knowledge of ecclesiastical affairs. For the faithful always and in all places, from the very first foundation of the church to the twelfth century, were used to communicate under the species of bread and wine; and in the beginning of that age

182 Conc. Tolet. 4. can. 17. Sacerdos et Levita ante altare communicent, in choro clerus, extra chorum populus.

183 Conc. Bracaren. 1. can. 31. Placuit ut intra sanctuarium altaris ingredi ad communicandum non liceat laicis viris vel mulieribus, sicut et antiquis canonibus statutum est.

184 Conc. Laodic. can. 19. Μόνοις ἐξὸν εἶναι τοῖς ἱερατικοῖς εἰσιέναι εἰς τὸ θυσιαστήριον καὶ κοινωνεῖν.

185 Conc. Trull. can. 69. Κατὰ ἀρχαιοτάτην παράδοσιν, κ.τ.λ.

186 Vales. Not. in Euseb. lib. 7. cap. 9.

187 Mabil. de Liturg. Gallic. lib. 1. cap. 5. n. 24.

188 Greg. Turon. lib. 9. cap. 3. et lib. 10. cap. 8.

189 Conc. Turon. 2. can. 4. Ad orandum et communicandum laicis et feminis, sicut mos est, pateant sancta sanctorum.

1 Vid. Eckii Enchirid. cap. 10. de Euchar. p. 130. Harding's Answer to Juel's Challenge, Art. 2. p. 30. Bellarmin. de Euchar. lib. 4. cap. 24.

2 Bona, Rer. Liturg. lib. 2. c. 18. n. 1. Certum est omnes passim clericos et laicos, viros et mulieres sub utraque specie sacra mysteria antiquitus sumpsisse, cum solemni eorum celebrationi aderant, et offerebant et de oblatis participabant. Extra sacrificium vero, et extra ecclesiam semper et ubique communio sub una specie in usu fuit. Primæ parti assertionis consentiunt omnes, tam catholici, quam sectarii; nec eam negare potest, qui vel levissima rerum ecclesiasticarum notitia imbutus sit. Semper enim et ubique ab ecclesiæ primordiis usque ad sæculum duodecimum sub specie panis et vini communicarunt fideles; cœpitque paulatim ejus sæculi initio usus calicis obsolescere, plerisque episcopis eum populo interdicentibus ob periculum irreverentiæ et effusionis.

the use of the cup began by little and little to be laid aside, whilst many bishops interdicted the people the use of the cup for fear of irreverence and effusion. And what they did first for their own churches, was afterward confirmed by a canonical sanction in the council of Constance. This is as fair and ample a confession for the practice of the universal church as we desire, and it serves to show the vanity of all those arguments, from Scripture and antiquity, that were offered at by the first managers of this dispute, to prove the practice of communicating in both kinds not to be universal. It supersedes also all further trouble of citing authorities in this dispute, as unnecessary in a matter so much beyond all doubt and exception by the adversaries' own confession. Though the reader that desires to see the authorities produced at large, may find them in Vossius[3] and Du Moulin,[4] and more amply in Chamier,[5] and a late treatise of a learned writer[6] in our own tongue, showing, that there is no catholic tradition for communion in one kind. But Bona not only grants us all this, but tacitly answers all the plausible arguments used by Bellarmine[7] and others, to persuade their readers into a belief of the ancient church giving the communion only in one kind. Bellarmine urges the frequent mention of reducing delinquent clergymen to lay communion; which he interprets communion in one kind. But Bona rejects this notion of lay communion as utterly false;[8] reflecting tacitly upon Bellarmine, and other modern writers of his own church, as ignorant of the ancient discipline, who no sooner hear of the name, lay communion, but presently they take it in the sense that it now bears, and interpret it communion in one kind; which how false it is, says he, we may learn from hence, that we often read of clergymen being thrust down to lay communion at that time, when laymen communicated in both kinds. Others draw an argument from that which the ancients call *communio peregrina*, the communion of strangers, which they interpret communion in one kind; but Bona[9] takes a great deal of pains to show the ignorance of these men, and makes an accurate inquiry into the true notion of this sort of communion, concluding, that whatever it meant, it did not mean communion in one kind. Bellarmine draws another argument or two from the reservation of the eucharist for the use of the sick, and from that private and domestic communion, which we have seen before was allowed to private Christians in their own houses, or in a journey, or in the wilderness: all which Bellarmine will have to have been only in one kind. But besides that this is false in itself, (for they reserved not only one, but both kinds for these uses, as we shall see more by and by,) Bona[10] says, it is altogether beside the question: for the question is not about private and extraordinary communion in cases of great exigence, but about the public, solemn, and ordinary communion of the church; concerning which he concludes, no instance can be produced before the twelfth century of its being celebrated only in one kind.

But then, that he may not seem to give up the cause of his church, and desert it as wholly desperate, he pretends that the change that was made by the council of Constance, and confirmed by the council of Trent, was against no Divine law; for communion in both kinds was neither instituted by God, nor did the ancient fathers ever teach it to be necessary to salvation. One would wonder to see discerning men so infatuated. What words can be able to express a Divine institution, if those of our Saviour are not, "Drink ye all of this?" Or how should the fathers believe communion in both kinds not to be necessary, who thought it necessary for children, and actually communicated them in both kinds, whenever they were capable of receiving it, as we have seen before? But he was sensible some of their own popes have called it a grand sacrilege to divide the mystery. Gelasius[11] complains, That some received the bread, but abstained from the cup; whom he condemns as guilty of superstition, and orders, that they should either receive in both kinds, or else be excluded from both; because one and the same mystery cannot be divided without grand sacrilege. Leo the Great[12] declaims against them after the same manner: They receive the body of Christ with an unworthy mouth, but refuse to drink the

[3] Voss. Thes. Theol. Disp. 5. de Symbolis Cœnæ Domin.

[4] Moulin, Novelty of Popery, Book 7. Controversy 12.

[5] Chamier de Eucharist. lib. 8. cap. 9.

[6] Demonstration that the Church of Rome has erred in her Decrees about Communion in one Kind.

[7] Bellarm. de Euchar. lib. 4. cap. 24.

[8] Bona, Rer. Liturg. lib. 2. cap. 19. n. 3. Recentiores, qui audito nomine communionis, ejus veteri notione neglecta, id solum concipiunt quod hodie ea voce significatur, laicam communionem nihil aliud esse putant, quam perceptionem eucharistiæ sub unica specie, aut extra cancellos more laicorum; quod quam falsum sit vel ex eo liquet, quod sæpe clericos ad laicam communionem detrusos legimus, eo tempore, quo etiam laici sub utraque specie communicabant.

[9] Bona, ibid. n. 5. Quidam, inter quos Binius in notis ad concilium Ilerdense, communionem peregrinam cum laica confundunt. Alii existimarunt nihil aliud esse quam perceptionem eucharistiæ sub una tantum specie. Verum quid magis alienum a disciplina veterum patrum? &c.

[10] Bona, ibid. c. 18. n. 1.

[11] Gelas. ap. Gratian. de Consecrat. Dist. 2. cap. 12. Comperimus quod quidam sumpta tantummodo corporis sacri portione, a calice sacri cruoris abstineant. Qui proculdubio, quia nescio qua superstitione docentur obstringi, aut integra sacramenta percipiant, aut integris arceantur: quia divisio unius ejusdemque mysterii sine grandi sacrilegio non potest provenire.

[12] Leo, Ser. 4. de Quadragesima. Ore indigno corpus Christi accipiunt, sanguinem autem redemptionis nostræ haurire omnino declinant.—Quorum deprehensa fuerit sacrilega simulatio, notati et prohibiti a sanctorum societate sacerdotali auctoritate pellantur.

blood of our redemption. Such men's sacrilegious dissimulation being discovered, let them be marked, and by the authority of the priesthood cast out of the society of the faithful. It is in vain to say here, as Bona does, That these decrees were only made against the Manichees, who believed wine to be the gall of the prince of darkness, and the creature of the devil, and therefore refused to drink it; for their reasons are general against all superstition whatsoever, and in their opinion the sacrament may not be divided without grand sacrilege, and thwarting the rule of the first institution. Which Bona might also have learned from another decree related in their canon law,[13] under the name of Pope Julius, who says, The giving of the bread and the cup, each distinct by themselves, is a Divine order and apostolical institution, and that it is as much against the law of Christ to give them jointly by dipping the one into the other, as it is to offer milk instead of wine, or the juice of the grape immediately pressed out of the cluster; all which are equally contrary to the evangelical and apostolical doctrine, as well as the custom of the church, as may be proved from the Fountain of truth, by whom the mysteries of the sacraments were ordained. Does not this plainly imply, that communicating in both kinds distinctly, was according to the laws of Christ, and agreeable to his rule and doctrine, as well as his example? With what face then could Bona say, That communion in both kinds was neither instituted by God, nor did the ancient fathers judge it necessary? when even some of their ancient popes have told us so plainly, that communion distinctly administered in both kinds is a Divine order, and that it is grand sacrilege to divide them. And the ancients always administered in both kinds upon this principle, because it was the law of Christ, whatever Bona or his partisans can say to the contrary.

As to the other part of the question, whether the ancients did not in some private or extraordinary cases administer the sacrament in one kind, we have no dispute with Bona, as being nothing to the dispute of public communion by his own confession; though all the arguments made use of by him and Bellarmine in this case, are far from being exactly true and conclusive. For, whereas they argue for communion in one kind from private and domestic communion, it appears from several instances that this sort of communicating was often in both kinds. Thus Nazianzen[14] says of his sister Gorgonia, that she laid up the antitypes both of the body and blood of the Lord. And St. Ambrose, speaking of his brother Satyrus,[15] and others at sea, expresses the matter in such terms, as plainly imply that they both eat the bread and drunk the wine. And whereas again they say, the communion reserved in the church for the use of the sick was only in one kind; the contrary is evidently proved from Justin Martyr,[16] who says, The deacons were used to carry both the bread and wine to the absent; and from St. Chrysostom's complaint[17] to Pope Innocent, That in that horrible assault that was made upon his church, the holy blood of Christ was spilt upon the soldiers' clothes. Which Baronius himself[18] brings as an argument to prove, that they were used to reserve the sacrament in both kinds in the church for the use of the sick. They argue further, from the example of such as took long journeys, or went to sea, that they always communicated in one kind. But Baronius[19] proves in the same place from the authority of Gregory the Great, that they who went to sea carried both the body and blood of Christ along with them in the ship. And Bona himself[20] tells us, there are some instances of the communion being carried in both kinds to hermits and recluses in the wilderness, as he gives an example in Maria Ægyptiaca, out of Sophronius. They urge likewise the use of the presanctified sacrament, which the Greeks used all Lent, except on Saturdays and Sundays, as has been noted before; and the Latins, on the *Parasceue*, or Good Friday: and this they pretend to tell us, with great confidence, was only communion in one kind; for they reserved only the bread, and not the wine, for this sort of communion. Bellarmine refers us to abundance of authors for this, as Pope Innocent, Ep. 1. cap. 4, who has not a word about it; and Gregory's Sacramentarium, and the Ordo Romanus in Officio Parasceues, and Rabanus Maurus, and Micrologus. But Cassander[21] has unluckily spoiled this argument, and inverted it upon them. For he

[13] Jul. Ep. ad Episc. Ægypt. ap. Gratian. de Consecr. Dist. 2. cap. 7. Audivimus quosdam schismatica ambitione detentos, contra Divinos ordines, et apostolicas institutiones, lac pro vino in Divinis sacrificiis dedicare; alios quoque intinctam eucharistiam populis pro complemento communionis porrigere.——Quod quam sit evangelicæ et apostolicæ doctrinæ contrarium, et consuetudini ecclesiasticæ adversum, non difficile ab ipso fonte veritatis probabitur, a quo ordinata ipsa sacramentorum mysteria processerunt, &c.

[14] Naz. Orat. 11. de Gorgon. p. 187.

[15] Ambros. Orat. de Obitu Fratris, t. 2. p. 19. Toto pectoris hauriret arcano, &c. Vid. Voss. Theses. p. 517. ex Tappero.

[16] Justin. Apol. 2. p. 97. Thus also some think we may take St. Jerom speaking of Exuperius, bishop of Thoulouse, Nihil illo ditius, qui corpus Domini canistro vimineo, sanguinem portat in vitro, meaning his carrying both kinds to the sick.

[17] Chrys. Ep. ad Innoc. t. 4. p. 681.

[18] Baron. an. 404. t. 5. p. 194.

[19] Baron. ibid. ex Gregor. Dial. 3. cap. 36.

[20] Bona, Rer. Liturg. lib. 2. cap. 18. n. 2. ex Vita Mariæ Ægyptiacæ.

[21] Cassand. de Communione sub utraque Specie, p. 1027.

has observed, and Vossius after him,[22] that the Ordo Romanus, in the office of Good Friday, appoints wine to be consecrated with the Lord's prayer, by putting some of the preconsecrated body into it, *ut populis plene possit communicare*, that the people may have the full communion in both kinds. And the same is to be said of the Greeks' presanctified communion; for in that liturgy, wine and water is ordered to be put into the cup, and then, in their prayers before the communion, the elements are called the body and blood of the Lord. So Cassander. But Leo Allatius,[23] who wrote a peculiar dissertation upon this subject, has more effectually ruined this argument, which it is a wonder Bona should not observe, who so often refers to his dissertation, and commends it. For he shows out of the Greek writers, Nicolas Cabasilas[24] and Simeon Thessalonicensis,[25] that in this communion there were both the elements of bread and wine, either consecrated before, or by the touch of one another. So that this argument not only proves nothing to their purpose, but ruins the hypothesis of the objectors. For this presanctified communion of the Greeks was in both kinds. And the very prayers in this liturgy, both before and after the communion, (as Allatius[26] there observes,) evidently show it. For the priest thus prays before communion; "Vouchsafe by thy mighty power to impart to us thy immaculate body and thy precious blood, and by our ministry to all the people." And after communion, "We give thee thanks, O Lord, the Saviour of all, for all the good things thou hast given us, and for the participation of the holy body and blood of thy Christ." And Allatius observes further,[27] that the same sort of communion in both kinds was used on Good Friday in Spain by the order of the Mozarabic liturgy, which agrees with what Cassander observed before out of the Latin church. And that which led Bellarmine and Bona into the mistake, to take this for communion in one kind, was, that both the Greek and Latin church reserved only the bread, and not the wine, for this service; but when they came to communicate, they put the preconsecrated bread into a cup of wine, and said the Lord's prayer and some other prayers, and that was esteemed a consecration of it, and so they proceeded to communicate in both. I have been a little more particular in explaining this rite, because it is the only instance our adversaries can urge with any colour, of public communion in one kind; which yet when rightly understood, we see, is no argument for them, but directly against them. And at this day the Greeks, and Maronites, and Abyssinians, and all the Orientals, never communicate but in both kinds, as Bona[28] himself confesses, out of Abraham Echellensis and other writers. And as to other instances of the sick, or infants, or men in a journey, who communicate only in one kind, (if they were never so true, as we see many of them are false,) they are private and extraordinary cases, that relate not to the public communion of the church, and so come not within the state of the present question, which is only about public communion, and not what was done in some very particular and extraordinary cases.

Sect. 2. That in receiving in both kinds, they always received the elements distinctly, and not the one dipped in the other.

Having thus despatched this grand question about communion in one kind, and showed the practice of the church to be constantly to receive in both elements, we are next to inquire, whether they received them both separately and distinctly, or the one dipped into and mixed with the other. The modern Greeks have a custom, which they have retained for some ages, of dipping the bread into the wine, and ministering it so mixed in a spoon to the people.[29] Some learned men, among whom are Latinus Latinius[30] and Arcudius,[31] make this custom as ancient as the time of Pope Innocent and St. Chrysostom; but Habertus[32] and Bona[33] prove there could be no such custom in those days, it being altogether contrary to the usage of the church in that age to mingle the elements together, or minister them any otherwise than separate to the people. And indeed there is nothing more evident than this in all the writings of the ancients, who speak of delivering the bread first with a certain form of words, and after that the cup with another form, (as we shall see more by and by,) and that commonly by distinct persons, a bishop or a presbyter ministering the one, and a deacon the other. So that it is needless to multiply testimonies to show, that mixing of the elements is a novel invention. I only note one passage of an epistle that goes under the name of Pope Julius[34] in Gratian's collection, which seems to hint at the beginning of the practice, and condemns it as a great corruption, contrary to the primitive institution of our Saviour. Whereas, says he, some give the people the eucharist dipped in the cup for a complement of the communion, this has no authority to be pro-

[22] Voss. Theses Theol. p. 519.
[23] Allat. de Missa Præsanctificatorum, n. 7. p. 1559.
[24] Cabasilas, Expos. Missæ, cap. 24.
[25] Simeon. Opusc. cont. Hæreses. Id. Resp. 56. ad Gabriel. Pentapolitan.
[26] Allat. ibid. n. 19.
[27] Ibid. n. 18. Ex missa Mosarab. in die Parasceues.
[28] Bona, Rer. Liturg. lib. 2. cap. 18. n. 2.
[29] Vid. Dr. Smith's Account of the Greek Church, p. 142.
[30] Latinius, Ep. ad Anton. Augustin.
[31] Arcud. de Concord. lib. 3. cap. 53.
[32] Habert. Archieratic. par. 10. Observ. 10. p. 271.
[33] Bona, Rer. Liturg. lib. 1. cap. 23. n. 8. et lib. 2. cap. 18. n. 3.
[34] Gratian. de. Consecrat. Dist. 2. cap. 7. Quod vero pro complemento communionis intinctam tradunt eucharistiam populis, nec hoc prolatum ex evangelio testimonium recipit, ubi apostolis corpus suum et sanguinem commendavit. Seorsum enim panis, et seorsum calicis commendatio memoratur.

duced for it out of the Gospel, where Christ commended his body and blood to his disciples. For the Gospel speaks of the bread being apart, and the cup apart by themselves. This is repeated in the same words in the third council of Braga, anno 675.[35] Bona tells us further, out of Micrologus,[36] that it was forbidden by the old Roman Ordo; and that Humbertus de Sylva Candida, who wrote against the Greeks in the middle of the eleventh century, declaims[37] bitterly against it; though, he thinks, with more zeal than he needed to do, for a very good reason, we may be sure, because the same practice, as much an abuse as it was, and contrary to the first institution, was not long after authorized in the Roman church. For Pope Urban II., in the council of Clermont, ordered it in case of necessity so to be administered to the sick, and in other cases out of abundant caution, for fear the blood should at any time be spilt. However, it had various fortune in the Roman church. For Paschal II. not long after revoked the licence of his predecessor, and ordered[38] that neither infants nor the sick should have the communion mixed, but rather take the blood alone, which he thought more decent than to give the bread dipped in the cup. Yet this did not satisfy the council of Tours,[39] mentioned by Ivo, for they thought still, that the sick in case of necessity ought to have it dipped, that they might have it in both kinds, and that the presbyter who administered it might say with truth, The body and blood of our Lord Jesus Christ be unto thee for remission of sins and eternal life. The men of this age did not yet think it lawful to communicate even the sick in one kind only, nor that the priest could say with truth to the communicant, The body and blood of Christ, when he did not give him both kinds. But Bona here pities their ignorance: for they, poor men! had not yet learned that noble secret in divinity, the doctrine of concomitancy, to know, that the body of Christ cannot be without the blood. But he goes on to acquaint us out of an old Ritual of Joannes Abrincatensis, that this mixed communion was ordered to be given to all the people likewise, for fear of effusion. And in the ancient customs of the monastery of Cluny, published by Dacherius, there is an order, that the novices should thus communicate, for fear that, if they took the blood by itself, they might incur some negligence and shed it. Though it is intimated in a marginal note there, that the old custom of giving both kinds separately was used in other churches. In England the custom of mixing the elements so far prevailed, that Ernulphus, or Arnulphus, bishop of Rochester, anno 1120, wrote a letter in defence of it, which is also published by Dacherius in his Spicilegium, tom. 2, where one Lambert proposes the question to him, why the eucharist was administered at present after a different and almost contrary manner to that which was observed by Jesus Christ; because it was customary at that time to distribute a host steeped in wine to the communicants, whereas Jesus Christ gave his body and blood separately? To this Arnulphus answers, That this was one of those things that might be altered, and therefore, though anciently the two species of bread and wine were given separately, yet now they were given together, lest any ill accidents should happen in the distribution of the wine alone, and lest it should stick on the hairs of the beard or the whiskers, or should be spilt by the minister. Yet for all this, not long after, Richard, archbishop of Canterbury, in a synod held at Westminster, anno 1175, prohibited[40] the giving the eucharist steeped in wine as a complement of the communion. Thus this matter was bandied about, and disputed backwards and forwards, in the Latin church; some allowing it, others condemning it; now a council settling it, and then another unsettling it, and condemning all that went before them; till at last the council of Constance came in with her paramount authority, and, as Bona thinks, very wisely put an end to all these disputes and inconveniences at once, by taking the cup wholly from the people, and ordering that they should neither have it separately nor conjunctly: and so this abuse of giving the eucharist steeped in wine, after a long course and struggle of various fortune, was cured with a worse error, which took away the cup from the laity, and denied one part of the sacrament wholly to the people. Let us now return again to the ancient church.

Sect. 3. That the ancients received sometimes standing, sometimes kneeling, but never sitting.

The next question may be concerning the posture in which they received. The resolution of which must be in these three conclusions: 1. That they sometimes received standing. 2. Sometimes kneeling. 3. Never sitting, that we read of. That they frequently received the communion standing, may be evidenced two ways; by a direct, and by a collateral argument. The direct argument is, their positive assertions concerning the standing posture. Thus Dionysius of Alexandria, speaking of one who had often communicated among the faithful, represents him, *τραπέζῃ παραστάντα*, as standing[41] at the Lord's table. Upon which Valesius makes this

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[35] Conc. Bracarens. 3. can. 1.

[36] Microlog. cap. 19. Non est authenticum quod quidam corpus Domini intingunt, et intinctum pro complemento communionis populo distribuunt, nam Ordo Romanus contradicit.

[37] Humbert. Refutat. Calumniar. Michael. Cerularii.

[38] Paschal. Ep. 32. ad Pontium.

[39] Conc. Turon. ap. Ivonem, par. 2. cap. 19. Sacra oblatio intincta debet esse in sanguine Christi, ut veraciter presbyter possit dicere infirmo, corpus et sanguis Domini nostri Jesu Christi proficiat tibi in remissionem peccatorum et vitam æternam.

[40] Conc. Westmonaster. can. 11. Inhibemus ne quis quasi pro complemento communionis intinctam alicui eucharistiam tradat.

[41] Dionys. Epist. ap. Euseb. lib. 7. cap. 9.

remark,[42] that anciently they received the eucharist standing, not kneeling, as now the custom is. And Habertus undertakes to prove against the Italian divines,[43] as he calls them, that the whole Divine liturgy was celebrated standing, and that they both consecrated standing and received standing. And Bona[44] acknowledges the same for the Greek church, though he is a little more doubtful of the Latin. For the Greek church he produces the authority of Chrysostom, (Orat. in Encænia,) and Cyril of Jerusalem, who bids his communicant[45] receive it bowing his body in the posture of worship and adoration. Some interpret this kneeling,[46] but it signifies standing, with inclination or bowing of the body in the manner of adoration. And so St. Chrysostom[47] represents both priest and people as standing at the altar. This altar, says he, (speaking of the altar of a man's own soul, sending up devoutly prayers and alms to God,) is a more tremendous altar than that whereat thou who art a layman standest. And again, As the priest stands invoking the Spirit, so thou invokest him also, not by thy words, but by thy works. In like manner St. Austin, representing the Christians' way of worshipping God at the altar, to answer the calumny of the heathen, who accused them of giving Divine worship to their martyrs, says, Which of the faithful ever heard the priest when he stands[48] at the altar say in his prayers, I offer sacrifice unto thee, O Peter, or Paul, or Cyprian, when he offers to God at their monuments or memorials? Which I produce here only to show, that their prayers were then offered in a standing posture at the altar. Upon which account it was usual for the deacon at such times, especially on such days as this posture was used, to call upon the people in some such form of admonition as that mentioned frequently by St. Chrysostom[49] and the author of the Constitutions,[50] Ὀρθοὶ στῶμεν καλῶς, Let us stand rightly and devoutly to offer our sacrifices and oblations. Some think Tertullian also refers to this posture, when he says,[51] *Nonne solennior erit statio tua, si et ad aram Dei steteris?* Will not your station be the more solemn, if you also stand at the altar of God? But to speak freely, I think Tertullian in that place uses the word, standing, not to distinguish any particular posture of prayer, but only to denote a longer continuance in it on the stationary days, or half fasts, when they continued their religious assemblies till three in the afternoon: for on these days, as we shall hear presently, they prayed always kneeling, though on other days they did not; and therefore Tertullian could not mean that they prayed standing on those days, but only that they extended their devotions to a greater length on those stationary days beyond others. But without this controverted passage of Tertullian, there is sufficient evidence from the foregoing testimonies of their standing to receive the eucharist at the Lord's table.

And this is further confirmed by a collateral argument, which is, that on the Lord's day, and all the days of Pentecost, they were obliged to pray standing, and in no other posture, as has been showed[52] at large above: therefore it is very reasonable to believe, that at all such times they received the eucharist in the same posture they were obliged to pray, that is, standing at the altar.

But then the usual custom was, on all other days, and particularly on the stationary days, for the whole church to pray kneeling, as has likewise been fully[53] evinced before: and therefore it is no less reasonable to believe, that they received the communion in the same posture as they prayed, though there are not such positive evidences of their practice. What some allege out of Tertullian, that the people did *aris Dei adgeniculari*, kneel down to the altars of God,[54] is no good proof: for that is only a corrupt reading of the first editions, which others since read more correctly, *caris Dei adgeniculari*, falling at the knees of the favourites of God; alluding to the custom of penitents falling at the feet of the ministers and people, to beg their prayers for them when they went into the church. Nor is the argument much more solid that others bring out of Cyril's Catechism, where he bids his communicant receive the eucharist κύπτων: for that, as I have observed just now, signifies not kneeling, but standing in a bowing posture. What St. Chrysostom says in one of his exhortations to communicants, seems more nearly to express it: "Let us come with trembling, let us give thanks, let us fall down[55] and confess our sins, let us weep and lament for our miscarriages, let us pour out fervent prayers to God, and let us come with a becoming reverence as to

[42] Vales. in loc. Stantes, non ut hodie genibus flexis, accipiebant.

[43] Habert. Archieratic. par. 8. observ. 10. p. 150.

[44] Bona, Rer. Liturg. lib. 2. cap. 17. n. 8.

[45] Cyril. Catech. Myst. 5. n. 19. *Κύπτων καὶ τρόπῳ προσκυνήσεως καὶ σεβάσματος, λέγων, ἀμήν.*

[46] Hamon L'Estrange, Alliance of Div. Offic. chap. 7. p. 209.

[47] Chrys. Hom. 20. in 2 Cor. p. 886. *Τοῦτο φρικωδέστερον θυσιαστήριον ἐκείνου, ᾧ σὺ παρέστηκας ὁ λαικὸς.* It. *Καθάπερ ἕστηκε ὁ ἱερεὺς τὸ Πνεῦμα καλῶν, κ.τ.λ.*

[48] Aug. de Civ. Dei, lib. 8. cap. 27. Quis audivit aliquando fidelium stantem sacerdotem ad altare——dicere in precibus, Offero tibi sacrificium Petre, vel Paule, vel Cypriane, cum apud eorum memorias offeratur Deo, &c. It. cont. Faustum, lib. 20. cap. 21. Quis antistitum assistens altari, aliquando dixit, Offerimus tibi Petre aut Paule aut Cypriane? sed quod offertur, offertur Deo, &c.

[49] Chrys. Hom. 2. in 2 Cor. p. 740. Hom. 29. de Incomprehensibili, t. 1. p. 375.

[50] Constit. lib. 8. cap. 12.

[51] Tertul. de Orat. cap. 14.

[52] Book XIII. chap. 8. sect. 3.

[53] Ibid. sect. 4.

[54] Tertul. de Pœnitent. cap. 9.

[55] Chrys. Hom. Ser. 31. in Natal. Christi, t. 5. p. 480. *Προσπέσωμεν ἐξομολογούμενοι, κ.τ.λ.*

our heavenly King." But if there were none of these expressions, the very custom of kneeling at prayers on these days is a sufficient indication of the posture in which at the same time they received the communion.

As to sitting, there is no example of it, nor any intimation leading toward it, in any ancient writer. I have showed before, that in many churches they allowed no sitting at all in time of Divine service, neither in preaching, nor reading the Scriptures, nor in psalmody, nor in praying, nor after praying neither. And it would be unreasonable to imagine, that what was rejected at all other times, should be allowed in receiving the communion. Cardinal Perron indeed labours hard to prove, that the apostles received sitting, and that sitting was also a posture of adoration. But his vanity is abundantly chastised and exposed by the learned Daillé, as I have noted before[56] upon another occasion. So that this posture is wholly without example in the ancient church. Nor are there many examples of it among the moderns, and of those that be, some of them are such, as, considering their motives, one would least of all choose to imitate them. The Arians in Poland are said to receive the communion sitting, to show that they do not believe Christ to be their God, but only their fellow creature. For which reason some of the protestant Polish synods expressly forbid this posture,[57] as peculiar to the Arians, and obliged all their people to receive either standing or kneeling, not sitting, as being a posture taken up by the Arians, and contrary to the practice of all protestant churches. We are likewise told, that it is the singular privilege of the pope to communicate sitting, whenever he performs the office of consecration. Bona[58] not only tells us this, but describes the whole ceremony out of the book called Ceremoniale Romani Pontificis, and the old Ordo Romanus, which they that are curious in such matters may consult in their proper places. I go on with the practice of the ancient church.

Sect. 4. No elevation of the host for Divine adoration in the ancient church for many ages, till the rise of transubstantiation.

There is no one thing that has made greater stir and confusion in the Christian world, for some ages past, than the adoration of the host, grounded upon a false presumption, that it is not bread and wine, but transubstantiated into the real body and blood of Christ. I intend not to enter upon the history of transubstantiation, (which is a doctrinal point, and comes not properly into this work, which only inquires into the practice of the church,) but shall content myself to say, that in fact the most eminent of the ancient fathers have declared as plain as words can make it, that the change made in the elements of bread and wine by consecration, is not such a change as destroys their nature and substance, but only alters their qualities, and elevates them to a spiritual use, as is done in many other consecrations, where the qualities of things are much altered without any real change of substance. Thus Gregory Nyssen:[59] This altar before which we stand, is but common stone in its nature, differing nothing from other stones, wherewith our walls are built; but after it is consecrated to the service of God, and has received a benediction, it is a holy table, an immaculate altar, not to be touched by any but by the priests, and that with the greatest reverence. The bread also at first is but common bread, but when once it is sanctified by the holy mystery, it is made and called the body of Christ. So the mystical oil, and so the wine, though they be things of little value before the benediction, yet after their sanctification by the Spirit, they both of them work wonders. The same power of the word makes a priest become honourable and venerable, when he is separated from the community of the vulgar by a new benediction. For he who before was only one of the common people, is now immediately made a ruler and president, a teacher of piety, and a minister of the holy mysteries: and all these things he does without any change in his body or shape; for to all outward appearance he is the same that he was, but the change is in his invisible soul, by an invisible power and grace. Cyril of Jerusalem[60] uses the same similitude and illustration: Beware that you take not this ointment to be bare ointment. For as the bread in the eucharist, after the invocation of the Holy Spirit, is not mere bread, but the body of Christ; so this holy ointment, after invocation, is not bare or common ointment, but it is the gift or grace of Christ and the Holy Spirit, who by his presence and Divine nature makes it efficacious; so that the body is anointed symbolically with the visible ointment, but the soul is sanctified by the holy and quickening Spirit. St. Chrysostom, in his famous epistle to Cæsarius, makes a like comparison, to explain the two natures of Christ, against the Apollinarians, to show that he had both a human and Divine substance in reality, without

[56] Book XIII. chap. 8. sect. 7.

[57] Synod. Wlodislav. an. 1583. Artic. 6. in Corpore Confession. par. 2. p. 309. Sententia jam olim in Sendomiriensi synodo agitata, et conclusio in generali Cracoviensi atque Petricoviensi synodo facta ac repetita, in hoc etiam consessu approbata est: nempe ne in usu sit sessio ad mensam Dominicam in ullis hujus nostri consensus ecclesiis. Nam hæc ceremonia, licet cum cæteris libera, ecclesiis Christianis et cœtibus evangelicis non est usitata, tantumque infidelibus Arianis, cum Domino pari solio sese collocantibus propria, &c. Vid. Synod. Petricovens. Art. 4. ibid. p. 306. Synod. Cracoviens. Art. 4. p. 303.

[58] Bona, Rer. Liturg. lib. 2. cap. 17. n. 8.

[59] Nyssen. de Bapt. Christi, t. 3. p. 369.

[60] Cyril. Catech. Myst. 3. n. 3.

any transformation or confusion: As the bread, says he, before it is sanctified, is called bread, but after the Divine grace has sanctified it by the mediation of the priest, it is no longer called bread, but dignified with the name of the body of the Lord, though the nature of bread remain in it, and they are not said to be two, but one body of the Son; so here, the Divine nature residing or dwelling in the human body, they both together make one Son and one Person. When this passage was first produced by Peter Martyr, it was looked upon as so unanswerable, that they of the Romish church had no other way to evade the force of it, but to cry out, It was a forgery. Peter Martyr left it in the Lambeth library, but it was ravished thence in the reign of Queen Mary. Bigotius, a learned French papist, published the original, but the whole edition was suppressed. Yet Le Moyne published it again in Latin among his Varia Sacra: and a learned prelate, who now so deservedly holds the primacy in our own church, and whose indefatigable industry against popery will never be forgotten, having procured the sheets which the Sorbonne doctors caused to be suppressed in Bigotius's edition of Palladius, published it[61] in our own tongue, with such of the Greek fragments as are now remaining. And in these monuments it will stand as the unanswerable testimony of St. Chrysostom, and a key to explain all other passages of the Greek writers of that age, who were undoubtedly in the same sentiments of the bread and wine still remaining unalterable in their substance.

Theodoret lived not long after St. Chrysostom, and he as plainly says, that the bread and wine remain still in their own nature after consecration. Our Saviour, says he, would have those[62] who are partakers of the Divine mysteries, not to mind the nature of the things they see, but by the change of names to believe that change which is wrought by grace. For he that called his own natural body, wheat and bread, and gave it the name of a vine; he also honoured the visible symbols or elements with the name of his body and blood, not changing their nature, but adding grace to nature. In another place,[63] he uses the very same weapon to foil an Eutychian heretic, who, to prove that Christ's human nature was changed into the Divine nature after union, uses this argument: As the symbols of the Lord's body and blood are one thing before the invocation of the priest, but after invocation are changed, and become another thing: so also the body of our Lord after its assumption was changed into the Divine substance. To which Theodoret thus replies: Thou art taken in thy own nets which thou hast made: for neither do the mystical symbols depart from their own nature after consecration, but remain in their former substance, figure and form, and are visible and palpable, as they were before; yet they are understood and believed to be what they are made, and are reverenced as those things which they are made. Compare therefore the image with the original, and thou shalt see their likeness. For the type must answer to the truth. That body has the same form, and figure, and circumscription, and, in a word, has the same substance of a body that it had before; but it is immortal after the resurrection, and is freed from all corruption, and sits at God's right hand, and is adored by every creature, as being called the body of the Lord of nature. These words are so plain, that the bread continues in its own substance after consecration, as the body of Christ continues in the substance of human nature after its assumption, that, as Bishop Cosins[64] has observed, Nicolin, the pope's printer, who set forth these Dialogues at Rome, anno 1547, owns that Theodoret's opinion, as to what concerns transubstantiation, was not sound, but he might be excused, because the church had made no decree about it.

Ephrem, bishop of Antioch, lived about a hundred years after Theodoret, anno 540, and he wrote against the Eutychians in the same manner. No man, says he, that hath any reason,[65] will say, the nature of palpable and impalpable, of visible and invisible, is the same. For so the body of Christ, which is received by the faithful, does not depart from its own sensible substance, and yet it is united to a spiritual grace: and so baptism, though it becomes wholly a spiritual thing, and but one thing, yet it preserves the property of its sensible substance, I mean water, and does not lose what it was before.

The Latin fathers are not less plain and full in their testimony about this matter. Tertullian not only frequently says it is bread representing[66] the Lord's body, and the figure of his body,[67] but also teaches us to trust to the testimony of our senses in this and many other things relating to Christ. We are not to call in question those senses[68] of ours, lest we begin to doubt of the certainty of the very

[61] Defence of the Exposition of the Doctrine of the Church of England, against Mr. de Meaux. Lond. 1686.

[62] Theod. Dialog. 1. t. 4. p. 17. Vid. Ep. 130 et 145.

[63] Id. Dial. 2. p. 85.

[64] Cosins, Hist. of Transubstan. p. 77.

[65] Ephrem ap. Photium, Cod. 229.

[66] Tertul. cont. Marc. lib. 1. cap. 14. Panem quo ipsum corpus suum repræsentat.

[67] Cont. Marc. lib. 4. cap. 40. Panem corpus suum fecit, Hoc est corpus meum dicendo, id est, figura corporis mei.

[68] De Anima, cap. 17. Non licet nobis in dubium sensus istos vocare, ne et in Christo de fide eorum deliberetur—ne forte deceptus sit, cum Petri socrum tetigit, aut alium postea unguenti senserit spiritum, quod in sepulturam suam acceptavit, alium postea vini saporem, quod in sanguinis sui memoriam consecravit, &c. Falsa utique testatio, si oculorum et aurium et manuum sensus natura mentitur.

things that are related of Christ, whether he was not deceived, when he saw Satan fall from heaven, or when he heard the Father's voice testifying of him, or when he touched the hand of Peter's mother, or when he smelled the spirit of the ointment which he accepted to his burial, or when he tasted the wine that he consecrated to be the memorial of his blood. St. John argues upon the testimony of our senses, "what we have seen, what we have heard, what we have seen with our eyes, and our hands have handled of the word of life." But this attestation is false, if our senses may be deceived in the nature of things, which we see with our eyes, and hear with our ears, and touch with our hands. It is plain from these words of Tertullian, that he never thought of transubstantiation, which contradicts four of the five senses of all mankind, the sight, the touch, the taste, and the smell; and that he must be the most absurd man that ever wrote, if after all he could believe that not to be bread, which, according to his own rule, had the testimony of so many several senses.

St. Austin uses the same argument with Tertullian, in one of his homilies to the newly baptized, which, though it be not now among St. Austin's works, yet it is preserved by Fulgentius,[69] and Bede, and Bertram. Here, instructing them about the sacrament, he tells them, that what they saw upon the altar was bread and the cup, as their own eyes could testify[70] to them; but what their faith required to be instructed about was, that the bread is the body of Christ, and the cup the blood of Christ. But such a thought as this will presently arise in your hearts; Christ took his body into heaven, whence he shall come to judge the quick and the dead. And there he now sits at the right hand of the Father. How then is bread his body? or how is the cup, or that which is contained in the cup, his blood? These things, my brethren, are therefore called sacraments, because in them one thing is seen, and another is understood. That which is seen, has a bodily appearance; that which is understood, has a spiritual fruit. If therefore you would understand the body of Christ, hear what the apostle says to the faithful, Ye are the body of Christ and his members. If therefore ye be the body and members of Christ, your mystery or sacrament is laid upon the Lord's table, ye receive the sacrament of the Lord. Ye answer, "Amen," to what ye are, and, by your answer, subscribe to the truth of it. Thou hearest the minister say to thee, "The body of Christ," and thou answerest, "Amen." Be thou a member of the body of Christ, that thy "Amen" may be true. But why then is this mystery in bread? Let us here bring nothing of our own, but hear the apostle speak again. When he therefore speaks of this sacrament, he says, "We being many, are one bread and one body." Understand and rejoice. We being many, are unity, piety, truth, and charity, one bread and one body. Recollect and consider, that the bread is not made of one grain, but of many. When ye were exorcised, ye were then, as it were, ground; when ye were baptized, ye were, as it were, sprinkled, or mixed and wet together into one mass; when ye received the fire of the Holy Ghost, ye were, as it were, baked. Be ye therefore what ye see, and receive what ye are. Here St. Austin, first, says plainly, that it was bread and wine that was upon the altar, for which he appeals to the testimony of their senses. 2. That this very bread and wine is the body and blood of Christ. Consequently it could not be his natural body in the substance, but only sacramentally. 3. He says, the natural body of Christ is only in heaven; but the sacrament has the name of his body; because though in outward, visible, and corporeal appearance it is only bread, yet it is attended with a spiritual fruit. 4. Lastly, he says, that the sacrament not only is a representative of the natural body of Christ, but also of the mystical body, the church; and that, as a symbol of the church's unity, it is called the body of Christ in this sense, as well as the other. So that if there were any real transubstantiation, the bread must be changed into the mystical body of Christ, that is, his church, as well as into the body natural. These things might be confirmed from abundance of parallel passages in St. Austin's works, but this one is sufficient to show his meaning.

The next irrefragable testimony is that of Pope Gelasius, who wrote against the Nestorians and Eutychians, about the reality of the two natures in Christ, anno 490, where he thus proves them: Doubtless, the sacraments of the body and blood of Christ which we receive, are a Divine thing; and, therefore, by them we are made partakers of the Divine nature, and yet the substance and nature[71] of bread and wine do not cease to be in them. And,

[69] Fulgent. de Bapt. Æthiopis, cap. 11. Beda in 1 Cor. x. Bertram, de Corpore et Sanguine Dom.

[70] Quod ergo videtis, panis est et calix, quod vobis etiam oculi vestri renunciant. Quod autem fides vestra postulat instruenda, panis est corpus Christi, calix sanguis Christi. ——Quomodo est panis corpus ejus? Et calix, vel quod habet calix, quomodo est sanguis ejus. Ista, fratres, ideo dicuntur sacramenta, quia in eis aliud videtur, aliud intelligitur. Quod videtur, speciem habet corporalem; quod intelligitur, fructum habet spiritalem. Corpus ergo Christi si vis intelligere, apostolum audi dicentem fidelibus, Vos estis corpus Christi et membra, &c.

[71] Gelas. de Duabus Natur. cont. Nestor. et Eutych. Bibl. Patr. t. 4. p. 422. Certe sacramenta quæ sumimus corporis et sanguinis Domini Divina res est, propter quod et per eadem Divinæ efficimur consortes naturæ, et tamen esse non desinit substantia vel natura panis et vini. Et certe imago et similitudo corporis et sanguinis Christi in actione mysteriorum celebrantur, &c.

indeed, the image and similitude of the body and blood of Christ is celebrated in the mysterious action. By this, therefore, is evidently showed us, that we are to believe the same thing in our Lord Christ, as we profess and celebrate and take in his image: that as, by the perfecting virtue of the Holy Ghost, the elements pass into a Divine substance, whilst their nature still remains in its own propriety; so in that principal mystery, (the union of the Divine and human nature,) whose efficacy and power these represent, there remains one true and perfect Christ, both natures, of which he consists, continuing in their properties unchangeable. He must be blind that cannot see how the force of this argument supposes that bread and wine continue in their proper nature and substance in the eucharist, notwithstanding the sacramental union that is made between them and the body of Christ by the sacred use of them. Without this it had been of no force against the Eutychians, and they might, with a very obvious reply, have inverted the argument upon him, by saying, that as the bread was changed from its own nature into the very substance of the natural body of Christ, and remained no longer bread; so the human nature was really changed into the Divine nature, and continued no longer in its own substance after its assumption into the Godhead. Which argument, in the mouth of an Eutychian, had been unanswerable to Gelasius, had he, with his successors, given in to the doctrine of transubstantiation.

Some time after Gelasius lived Facundus, an African bishop, about the year 550. He wrote to excuse Theodorus of Mopsuestia, for saying, that Christ received the adoption of sons; which he does after this manner: Christ vouchsafed to receive the sacrament of adoption, both when he was circumcised, and when he was baptized. Now, the sacrament of adoption may be called adoption, as we call the sacrament of his body and blood, which is in the consecrated bread and cup, his body and blood, not because the bread is properly his body,[72] or the cup his blood, but because they contain the mystery of his body and blood. Whence our Saviour, when he blessed the bread and cup, and gave them to his disciples, called them his body and blood. It is plain, according to Facundus, that the bread and wine are not properly the body and blood of Christ, but properly bread and wine still, and only called his body and blood, as baptism and circumcision are called adoption, because they are the sacraments of adoption, and not the very thing which they represent.

To these I only add the testimony of Isidore, bishop of Seville, who lived in the beginning of the seventh century, anno 630. He, speaking of the rites of the church,[73] says, The bread, because it nourishes and strengthens our bodies, is therefore called the body of Christ; and the wine, because it creates blood in our flesh, is called the blood of Christ. Now, these two things are visible, but being sanctified by the Holy Ghost, they become the sacrament of the Lord's body. Bertram also[74] quotes a like expression out of Isidore's Origines: That as the visible substance of bread and wine nourish the outward man; so the word of Christ, who is the bread of life, refresheth the souls of the faithful, being received by faith. But, as Bishop Cosins and Mr. Aubertin have observed, this passage, by some pious fraud, is not to be found in its proper place. Now, if the bread be such bread in substance as nourishes the body, then it must be such as is properly bread still, and not the incorruptible body of Christ, which cannot be said to be cast out into the draught, which yet Origen says of it,[75] That the material part of the sacrament, the typical and symbolical body of Christ, which goes in at the mouth, goes into the belly; but the real body of Christ is only received by those that are worthy, and by faith. By all which it is evident, the ancients did not know any thing of the new doctrine of transubstantiation, but believed that the bread and wine still remained in the eucharist in their proper nature. He that would see more of this, may consult Bishop Cosins's History of Transubstantiation, and Mr. Aubertin's elaborate Book of the Eucharist, where he may find all the other arguments against this doctrine proposed, and the testimonies of every father vindicated against the sophistry of Perron and Bellarmine, and all other Romish writers upon this subject; and also see what opposition was made to the new hypothesis of Paschasius Rathbertus, (which was rather a consubstantiation than a transubstantiation,) as soon as it appeared, by Rabanus Maurus, Amalarius, Walafridus Strabo, Heribaldus, Lupus, Frudegardus, Joannes Erigena, Prudentius Tricassin, Christianus Druthmarus, Alfricus and the Saxon homilies, Fulbertus Carnotensis, Leuthericus Senonensis, Berno Augiensis, and others, to the time of Berengarius; after whom it met with greater opposition from Honorius Augustodunensis,

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[72] Facund. lib. 9. cap. 5. Potest sacramentum adoptionis adoptio nuncupari, sicut sacramentum corporis et sanguinis ejus, quod est in pane et poculo consecrato, corpus ejus et sanguinem dicimus; non quod proprie corpus ejus sit panis et poculum sanguis, sed quod in se mysterium corporis sanguinisque contineant. Hinc et ipse Dominus benedictum panem et calicem, quem discipulis tradidit, corpus et sanguinem suum vocavit, &c.

[73] Isidor. Hispal. de Eccles. Offic. lib. 1. cap. 18. Panis quia confirmat corpus, ideo Christi corpus nuncupatur; vinum autem, quia sanguinem operatur in carne, ideo ad sanguinem Christi refertur. Hæc autem duo sunt visibilia, &c.

[74] Bertram, de Corp. et Sang. Dom. ex Isidor. Orig. lib. 6. cap. 19.

[75] Origen. Com. in Matt. xv. t. 2. p. 27.

Amalricus, Peter and Henry de Bruis, Guido Grossus, archbishop of Narbo, Francus Abbas, the Waldenses and Albigenses, the Bohemians and followers of John Huss and Jerom of Prague, the Wickliffists here in England, among whom was the famous Reginald Peacock, and many other learned men, to the time of the Reformation. The first inventor of the name transubstantiation, was Stephanus Eduensis,[76] as Aubertin there shows; and he lived not long before the council of Lateran, which first dogmatically established it, anno 1215. He shows, that before this they rather believed an impanation, or concomitancy of the body with the bread still remaining. Bishop Cosins has many curious remarks of the same nature, and particularly he observes of the recantation which Pope Nicholas II. obliged Berengarius to make, that it was so crude and absurd, that even the present Romanists cannot digest it: for there he was obliged to profess, that the very body and blood of Christ was touched and broken by the hands of the priests, and ground with the teeth of the faithful, not sacramentally only, but in truth and sensibly. Which the glosser upon Gratian, John Semeca, marks with this note,[77] That unless you understand it cautiously, it will lead into a greater heresy than that of Berengarius; for it exceeds truth, and is spoken hyperbolically. So little understanding was there of this monstrous doctrine, when first it began to make its appearance in the world.

But I shall pursue this matter no further, having sufficiently demonstrated that the ancients knew nothing of this doctrine, since they unanimously declared, that the bread and wine continued in their own proper substance after consecration. Whence it follows, that they could not adore the eucharist with Divine adoration, which they did not believe to be any otherwise than typically and symbolically the body of Christ. Indeed they did not so much as elevate it upon any account for many ages, much less for adoration. Some pretend to cite St. Basil's authority for lifting it up to show it to the people in order to adoration. So Schelstrate[78] and Bona[79] after Bellarmine. But his words will bear no such sense: for he neither speaks of adoration, nor yet of elevation to show it to the people, but only of consecration, as the Greek word, *ἀνάδειξις*, properly signifies both in foreign and ecclesiastical writers, as Mr. Aubertin proves by various examples.[80] St. Basil's words are these, *τὰ τῆς ἐπικλήσεως ῥήματα ἐπὶ τῆς ἀναδείξεως τοῦ ἄρτȣ τῆς εὐχαριςίας, τίς τῶν ἁγίων ἐγγράφως ἡμῖν καταλέλοιπεν;*[81] Which Bellarmine, following a corrupt Latin translation, renders thus; Which of the saints has left us in writing the words in which the people invocate the eucharist, when it is showed to them? whereas they ought to be rendered thus; Which of the saints has left us in writing the words of the invocation, or prayer, wherewith the eucharist is consecrated? And so Perron[82] himself, with more than ordinary ingenuity, confesses, telling us, That St. Basil's words are not to be understood of the people's praying to the eucharist, but of the minister's praying to God in a solemn form of invocation to consecrate the eucharist. Which, as I have showed before,[83] was not done barely by pronouncing those words, "This is my body," as now it is in the Roman church; but by a formal invocation and thanksgiving, beseeching God to sanctify the gifts: which form, St. Basil rightly says, was not by any of the evangelists left in writing. Some, again, urge the testimony of Germanus, bishop of Constantinople, as one who speaks of elevating the host after consecration. And indeed he does so;[84] but then he gives another reason for it, and not that of the people's adoration. He says, it was to represent our Saviour's elevation upon the cross, and his dying there, together with his rising from the dead. Which was far from the modern intent of elevation. This author lived about the year 715, and he is the first that mentions this elevation among the Greeks, without any notice of adoration. And for the Latin church, there is a perfect silence in all the older ritualists about it till the eleventh century, when it is mentioned by Ivo[85] Carnotensis and Hugo de Sancto Victore,[86] though still for the same reason given by Germanus, and not for adoration. The first writer that assigns the reason of it to be for adoration, as Mr. Daillé[87] proves at large, is Gulielmus Durantus, who wrote his Rationale[88] about the year 1386. So that transubstantiation and adoration of the eucharist, as mother and daughter, came within an age of one another. The most learned now in the Roman church confess the main of this. Bona[89] says very frankly, he cannot trace the original of elevating the sacrament immediately after consecration in the Latin church, higher than Ivo, and Gulielmus Parisiensis, and Hildebert of Tours, who make

[76] Albertin. de Euchar. lib. 3. p. 969.

[77] Grat. de Consecr. Dist. 2. cap. 42.

[78] Schelstrat. de Conc. Antioch. p. 219.

[79] Bona, Rer. Liturg. lib. 2. cap. 13. n. 2. Bellarm. de Euchar. lib. 2. cap. 15.

[80] Albertin. de Euchar. lib. 2. p. 446.

[81] Basil. de Spir. Sancto, cap. 27.

[82] Perron. de Euchar. lib. 2. Author. 15. cap. 3. ap. Albertin. ibid.

[83] Book XV. chap. 3. sect. 11.

[84] German. Theoria Rer. Divin. Bibl. Patr. Gr. Lat. t. 2. p. 163.

[85] Ivo, Epist. de Sacram. Missæ.

[86] Hugo de S. Vict. de Missæ Observat. lib. 2. cap. 28.

[87] Dallæ. de Objecto Cultus, lib. 2. cap. 6.

[88] Durant. Rational. lib. 4. de 6. Parte Canonis.

[89] Bona, Rer. Liturg. lib. 2. cap. 13. n. 2.

mention of ringing a bell at this elevation, in the twelfth and thirteenth century, when they lived: but he owns the old Sacramentaria, whether printed or manuscript, and the old ritualists, Alcuin, Amalarius, Strabo, Micrologus, and the rest, have not a syllable about it. And whereas Stephen Durantus[90] boasts of its antiquity, and says it begun with the very infancy of the church, he corrects his mistake, as relying only upon the Greek writers, who prove nothing of the customs of the Latin church. So that here we have a plain acknowledgment of its novelty: and Daillé[91] takes the same confession under the hand of Morinus[92] and Goar,[93] two other learned writers of the Roman church, as Bishop Stillingfleet[94] does also from Menardus.

Sect. 5. No adoration of the host before the twelfth or thirteenth century.

But it may be said, though there was no elevation of the host, nor ringing of a bell, before this time in the Latin church, yet there might be Divine adoration for all that paid to the eucharist from the beginning. Cardinal Perron was so confident of this, that he makes sitting a posture of devotion, on purpose to prove that the apostles adored it sitting. The vanity of which pretence has been showed before. A great many other proofs are alleged out of the ancients to prove this adoration. But they prove no more, but either that a veneration was paid to the sacrament, as to the books of the Gospel, and the water of baptism, and the Lord's table, and many other sacred things, which no one denies; or else, that the adoration was given to Christ, as divinely present every where, or as sitting at the right hand of God in heaven, whither they were directed by the admonition of *Sursum corda*, to lift up their hearts, and to elevate their own souls, to adore him there. St. Jerom speaks of common and ordinary veneration, when he says, Men were taught[95] by the Scriptures, with what veneration they ought to receive holy things, and serve in the ministry of Christ's altar, and not to esteem the holy cups, and holy veils, and other things pertaining to the service of the Lord's passion, to be without holiness, as inanimate things and void of sense, but as things which, for their relation to the body and blood of the Lord, were to be venerated with the same majesty and reverence as his body and blood. Such reverence as this, which was given to the cups and other utensils of the altar, no doubt was given to the sacrament, as the symbolical body and blood of Christ: but this could not be a veneration of Divine worship and adoration, unless we can think that they gave Divine worship to the cups and utensils of the altar, which he says were venerated with the same respect as the body and blood of Christ. Mr. Aubertin[96] gives a great many instances of this kind of veneration paid to churches, and the book of the law, and baptism, which can signify no more than their reverent use of them as sacred and venerable things. And such a veneration they paid to the sacrament; never putting consecrated bread to any profane or common use; much less violating its sacredness by any more indecent practice, as was that outrage of the Donatists, when they threw it to the dogs; never touching it with unwashen hands; being extremely cautious not to let any particle of it fall to the ground: which is a particular caution, noted by many of the ancients, Tertullian,[97] St. Austin,[98] Cyril of Jerusalem,[99] and Origen,[100] who styles it a veneration in express terms. Whence Bellarmine very wisely concludes, they must needs believe it to be Christ's natural body, and adore it. As if holy things could not be used with such caution and reverence, but presently it must be interpreted an act of adoration.

But the ancients sometimes say, they worshipped Christ in the eucharist. Which we do not deny neither. St. Austin says, No man eats[101] the flesh of Christ, but he that first worships it. And there are like expressions in Ambrose, Chrysostom, and some other ancient writers. But then they sufficiently explain their own meaning, giving us to understand, that they neither speak of oral manducation, nor of adoring Christ as corporeally present in the eucharist, but as spiritually present, or else as corporeally absent in heaven. St. Chrysostom[102] says, They fell down before Christ their King as captives in baptism, and that they cast themselves down upon their knees before him. And yet no one would conclude therefore that they worshipped him as corporeally present in baptism, although baptism made them partakers of his body and blood also. He says further,[103] That the king himself bowed his body because of God speaking in the holy Gospels. But it would be ridiculous hence to infer, either

[90] Bona, Rer. Liturg. lib. 2. cap. 13. n. 2.

[91] Dallæ. ubi supra.

[92] Morin. De Ordinat. par. 3. Exercit. 8. cap. 1.

[93] Goar. Not. in EuchＯlog. p. 146.

[94] Stilling. Orig. Brit. p. 236. ex Menardo, Not. in Gregor. Sacram. p. 374.

[95] Hieron. Ep. ad Theophil. Discant, qui ignorant, eruditi testimoniisScripturarum, qua debeant veneratione sancta suscipere, et altaris Christi ministerio deservire, sacrosque calices, et sancta velamina, et cætera quæ ad cultum pertinent Dominicæ passionis, non quasi inanima et sensu carentia sanctimoniam non habere, sed ex consortio corporis et sanguinis Domini, eadem qua corpus ejus et sanguis majestate veneranda.

[96] Albertin. de Euchar. p. 432.

[97] Tertul. de Coron. Mil. cap. 3.

[98] Aug. Hom. 26. et 50. [99] Cyril. Catech. Myst. n. 18.

[100] Orig. Hom. 13. in Exod. Cum suscipitis corpus Domini, cum omni cautela et veneratione servatis, ne ex eo parum quid decidat, &c.

[101] Aug. in Psal. xcviii.

[102] Chrys. in illud, Simile est regnum cœlorum, &c.

[103] In illud, Attendite ne eleemosynam faciatis, ap. Albertin. de Euchar. p. 432.

that they worshipped the Gospels, or Christ as corporeally present in them. Mr. Aubertin[104] has demonstrated out of St. Austin's works these several propositions, which are all point blank contrary to the adoration of Christ as corporeally present in the eucharist. 1. That bread and wine are not properly and substantially the body and blood of Christ, but only sacramentally and figuratively. 2. That Christ is not substantially and corporeally present in the eucharist, but corporeally present only in heaven. 3. That true bread remains and is eaten in the eucharist. 4. That the manducation of Christ in the eucharist is not oral, but spiritual. 5. That the wicked do not eat or drink the proper body and blood of Christ in the eucharist. 6. That the same body cannot be in different places at one and the same time; and that this is particularly asserted of the body of Christ. 7. That a body must necessarily occupy some place and space, and be extended by parts, with longitude, latitude, and profundity. 8. That accidents cannot subsist without a subject. All which directly overthrow the corporeal presence of Christ in the euchaist, and consequently show, that the adoration which was given to Christ in the eucharist, was not to his corporeal presence, but his spiritual presence, or to his body as absent in heaven.

But Durantus[105] undertakes to prove, that the body of Christ was not only worshipped as corporeally present in the eucharist in the use and time of celebration, but at other times by non-communicants also. For this he alleges Chrysostom,[106] who says that the energumens at that time were brought by the deacon and made to bow their heads. Which Durantus interprets of bowing to the eucharist. But Chrysostom unluckily spoils his argument. For at that time, he says, the eucharist was not consecrated, but only about to be consecrated; and these energumens were not allowed to stay to hear the prayers of consecration with the faithful, but were dismissed with the catechumens and other non-communicants before the communion service began. So that if they worshipped the host, it must be an unconsecrated host, which, according to Durantus himself, would be plain idolatry. So unfortunate are these gentlemen in the best arguments they can produce for host worship among the ancients, that their own very proofs manifestly overthrow it.

On the other hand, there are most certain demonstrations, that there could be no such thing as host worship in the ancient church, not only taken from their not believing transubstantiation and the corporeal presence, but from many other topics solidly deduced and substantially proved by two learned writers, Mr. Daillé[107] and Dr. Whitby,[108] in two excellent discourses upon this very subject, to which I will commend the reader, contenting myself to mention the heads of the principal arguments, which they have more fully drawn out and proved. Mr. Daillé ranks his arguments under two heads, some general ones against the worship of the eucharist, saints, relics, images, and crosses; and others more particularly levelled against the worship of the eucharist. Among those of the first kind he urges this as very remarkable, that in all the ancient relations of miracles, there is never any mention made of miracles being wrought by the eucharist, as is now so common in later ages, especially in the book called the School of the Eucharist, which is a collection of legends under the name of miracles wrought by the host upon sundry occasions. 2. He urges another general argument from the silence of all such writers of the church as speak of traditions, that the worship of the eucharist is never once named among them. 3. That among the heathen objections and calumnies which they raised against them, such as their worshipping the sun, and an ass's head, and the genitals of their priests, and a crucified and dead man, they never objected to them the worship of bread and wine, which yet had been very obvious and natural, and invidious enough to have accused them of, had there then been any such plausible ground for an accusation, as there has been in later ages. 4. The Christians used to object to the heathens, that they worshipped things that were dumb and void of life; things that must be carried upon men's shoulders, and if they fell, could not rise again; things that must be guarded by men, to secure them from thieves; things that might be carried captive, and were not able to preserve and deliver themselves; things that might be laid to pawn, as the eucharist has been by some princes in later ages; things that are exposed to fire and weather, and rust, and moth, and corruption, and other injuries of nature; things that might be devoured by mice and other animals, and might be gnawed and dunged upon by the most contemptible creatures. All which objections might easily have been retorted by the heathen upon the Christians, had they then worshipped the eucharist, or images, or relics, or crosses, which are liable to all the same reproaches. These are general arguments against host worship, together with the rest of that idolatrous worship which now so abounds in the church of Rome. But there are a great many more special arguments urged in particular against the host worship by that learned man. As, 1. From

[104] Albertin. de Euchar. p. 602, &c.

[105] Durant. de Ritibus, lib. 2. cap. 40. n. 5.

[106] Chrys. Hom. 3 et 4. de Incomprehensibili, p. 365 et 374. t. 1.

[107] Dallæ. de Objecto Cultus Religiosi, cont. Latinos, lib 1 et 2.

[108] Whitby, Idolatry of Host Worship. Lond. 1679. 8vo.

the silence of all ancient writers about it. 2. From their using no elevation of the host for worship for many ages, as we have showed at large out of Bona before. 3. The ancients knew nothing of ringing a bell, to give notice of the time of adoration to the people. 4. There are no histories of beasts miraculously worshipping the eucharist, which sort of fictions are so common in later ages. 5. The ancients never carried the eucharist to the sick or absent with any pomp or signs of worship; never exposed it to public view in times of solemn rejoicing or sorrow; never adored or invoked its assistance in distress, or upon any great undertaking: which are now such common practices in the Roman church. 6. The ancients never enjoined persons newly baptized and penitents to fall down before the eucharist and worship it, as is now commonly done in the Roman church. 7. The ancients never allowed non-communicants to stay and worship the eucharist, as the practice now is; which yet had been very proper, had they believed the eucharist to be their God. But they used it only for communion, not for adoration. 8. The ancients never used to carry the eucharist publicly in processions, to be adored by all the people; which is a novel practice in the judgment of Krantzius[109] and Cassander. 9. The ancients lighted no lamps nor candles by day to the eucharist, nor burned incense before it, as is now the practice. 10. They made no little images of the eucharist, to be kissed and worshipped as the images of Christ. 11. They had no peculiar festival appropriated to its more solemn worship. This is of no longer date than Pope Urban IV., who first instituted it, anno 1264, and it is peculiar only to the Roman church. 12. The ancient liturgies have no forms of prayers, doxologies, or praises to the eucharist, as are in the Roman Missal. 13. The adoration of the eucharist was never objected by the heathens to the primitive Christians; nor were they reproached, as the Romanists have been since, as eaters of their God. It is a noted saying of Averroes, *Quando quidem comedunt Christiani quod colunt, sit anima mea cum philosophis*, Since Christians eat what they worship, let my soul rather have her portion among the philosophers. This learned philosopher lived about the year 1150, when the host worship began to be practised, which gave him this prejudice to the Christian religion. 14. The Christians objected such things to the heathens, as they never would have objected, had they themselves worshipped the host; as that it was an impious thing to eat what they worshipped, and worship what they eat and sacrificed. Which objections might easily have been retorted upon them. 15. The Christians were accused by the heathens of eating infants' blood in their solemn mysteries, but never any mention is made of eating the blood of Christ, either in the objection or answer to it. The ground of the story arose from the practice of the Carpocratians and other heretics, and not from the Christians eating the blood of Christ. 16. Lastly, the Christians never urged the adoration of the eucharist in their disputes with the Ebionites and *Docetæ*, which yet would have been very proper to confute their errors, who denied the reality of the flesh of Christ. To these arguments of Mr. Daillé, Dr. Whitby has added these further: 1. That the Scriptures and fathers deride the heathen deities, and say, that we may know they are no gods, because they have no use of their outward senses. 2. Because they are made gods by consecration, and by the will of the artificer, part of that matter which is consecrated into a god being exposed to common uses. 3. Because they were imprisoned in their images, or shut up in obscure habitations. 4. Because they clothed their gods in costly raiments. 5. Because they might be metamorphosed or changed from one shape to another. All which might have been retorted upon the Christians, had they worshipped the eucharist, without any possibility of evasion. Soto and Paludanus own, that the whole eucharist, substance as well as species, may be vomited up again, or voided at the draught. Which to affirm of the real body of Christ, the ancients would have accounted the greatest blasphemy. For these and the like reasons we may safely conclude, that there was no such practice among the ancients, as giving Divine honour to the host upon presumption of its being the real body of Christ, though they treated it, as the sacred symbol and antitype of his body, with all imaginable respect and veneration. To deduce these arguments at their full length would fill a volume, and therefore it is sufficient here to have hinted the heads of them in this summary account, referring the reader to those two learned authors, who have proved every thing they say, for fuller satisfaction. I now go on with the practice of the ancient church.

Sect. 6. The people allowed to receive the eucharist into their own hands.

In distributing the elements the people were allowed to receive them into their own hands. Which now, since the belief of transubstantiation and the adoration of the host came in, is severely prohibited in the Roman church. And this is at least another strong presumption, that the ancients had very different sentiments of the eucharist from those which now prevail in the Roman church. As to fact, there is no dispute of the matter. The thing is confessed by Baronius,[110] and Morinus,[111] and Garsias Loaysa,[112] as Daillé[113] has noted out of

[109] Krantz. Metropol. lib. 11. cap. 39. Cassander. Consultat. sect. de Circumgestat.

[110] Baron. an. 57. n. 147.

[111] Morin. de Ordinat. par. 3. Exercit. 12. c. 3.

[112] Loaysa in Conc. Tolet. 1. can. 14.

[113] Dallæ. de Objecto Cult. Relig. lib. 2. cap. 20.

them. And Bona[114] confesses he cannot tell when the contrary custom first came in, but he thinks it very probable, that it began at the same time that they first brought into the Western church the use of unleavened bread, and wafer hosts, which, as he proves before, was not till the twelfth or thirteenth century. But, that the reader may not wholly depend upon these concessions, I will note a few places in the margin out of Tertullian,[115] Clemens Alexandrinus,[116] Cyprian,[117] Origen,[118] Dionysius Alexandrinus,[119] Cyril of Jerusalem,[120] Nazianzen,[121] Basil,[122] Ambrose,[123] Austin,[124] Chrysostom,[125] and the council of Trullo;[126] which I think it needless to repeat at length in a matter so plain and uncontested. The very custom of washing the hands before communion, in order to receive it, the frequent admonitions to beware of letting it fall, the allowance of private men to carry it home with them and communicate in private, the sending it to the sick sometimes by private men, which we have spoken of before, do all bear testimony to the same practice. But all these customs are perfectly antiquated and abolished in the Roman church, since the practice of host worship came in, partly by forbidding the people to touch the bread with their own hands, but suffer it to be dropped into their mouths, and partly by withdrawing the cup wholly from them. Many wise and pretty reasons are used to be given for abolishing this ancient custom, as that it is to prevent men's negligence, and irreverence, and other abuses; but the fathers had much better reasons for allowing it. For then it afforded them a noble argument to keep innocent and holy hands, free from idolatry, murder, rapine, and extortion, and other the like vices, when they must with those very hands receive the immaculate body and blood of their Lord. A man might declaim, says Tertullian,[127] all the day long, with the zeal of faith, and bewail those Christians, who work with their hands at the trade of making idols for the heathen gods, and come immediately from the shop of the adversary to the house of God, to lift up those hands to God the Father, which are the makers or mothers of idols, and stretch forth those hands to receive the body of the Lord, that were instrumental in carving bodies for devils. With what eloquence does St. Chrysostom inveigh against rapine, and bloodshed, and strife, and contention, upon this very topic! Consider, says he,[128] what thou takest into thy hand, and never dare to smite any man; do not disgrace those hands, which are adorned with so great a gift, by the crime of fighting and contention. Consider what thou takest into thy hands, and keep them free from all rapine and extortion. Consider that thou not only takest it in thy hands, but puttest it to thy mouth; therefore keep thy tongue pure from all filthy and contumelious words, from blasphemy, perjury, and all such kinds of evil discourse. So, again, reproving those who in time of sickness went to the Jews to get charms and amulets to cure their distemper, he asks them, what apology they would[129] make to Christ for thus flying to his enemies in their distress? How they could call upon him in their prayers? With what conscience they could come into the church? With what eyes they could look upon the priest? With what hands they could touch the holy table? And in another place, repressing the people's fury against Eutropius, (who, having procured a law to be made against men's taking sanctuary at the altar, was himself not long after, by falling under the emperor's displeasure, forced to fly thither for refuge; and then some of the people clamoured against him with revengeful thoughts, and cried out, It was but just that he should suffer the effects of his own law,) to suppress the people's anger in this case, and incline them to thoughts of mercy and pardon, he asks them, How otherwise they could take[130] the sacrament into their hands, when sermon was done, and say that prayer, which commands them to beg of God, that he would "forgive them their trespasses, as they forgave them that trespassed against them," if they persisted to call for justice upon their enemy? These are handsome turns of eloquence, grounded upon this innocent and pious custom of the people's taking the sacrament into their own hands; and they had often their due weight and force even upon the greatest minds, as may appear from the effect of that speech which St. Ambrose made to the emperor Theodosius, when he had caused seven thousand men to be slaughtered without any formal trial at Thessalonica. St. Ambrose met him as he was entering the church, and thus accosted him: With what eyes wilt thou behold the house of our common

[114] Bona, Rer. Liturg. lib. 2. cap. 17. n. 7. Vid. Vales. Not. in Euseb. lib. 7. c. 9.

[115] Tertul. de Coron. Mil. cap. 3. de Idololatr. cap. 7.

[116] Clem. Alex. Strom. 1. p. 318.

[117] Cypr. de Lapsis, p. 132. De Patient. p. 216. Ep. 56. al. 58. ad Thibaritanos, p. 125.

[118] Orig. Hom. 13. in Exod.

[119] Ap. Euseb. lib. 7. cap. 9.

[120] Cyril. Catech. Myst. 5. n. 18.

[121] Naz. Carmen de Ornatu Mulier. t. 2. p. 152.

[122] Basil. Ep. 289. ad Cæsaream Patriciam.

[123] Ambr. Orat. ad Theodos. ap. Theodoret, lib. 5. cap. 18.

[124] Aug. cont. Liter. Petil. lib. 2. cap. 23. Hom. 26. ex 50.

[125] Chrys. Hom. 21. ad. Pop. Antioch. t. 1. p. 266. Hom. 22. p. 285 et 290. Hom. 24. p. 316. Hom. 6. cont. Judæos, t. 1. p. 540. Hom. 6. in Seraphim. Hom. 3. in Ephes. et passim.

[126] Conc. Trull. c. 101.

[127] Tertul. de Idololat. cap. 7. Vid. Tertul. de Spectac. c. 25. Cypr. Ep. 56. al. 58. ad Pleb. Thibarit. p. 125.

[128] Chrys. Hom. 21. ad Pop. Antioch. t. 1. p. 266. Vid. Hom. 31. de Natali Christi, t. 5. p. 479.

[129] Chrys. Hom. 6. cont. Jud. t. 1. p. 539.

[30] Chrys. Hom. in Eutrop. t. 4. p. 554.

Lord? With what feet wilt thou tread his holy pavement? Wilt thou stretch out those hands yet dropping with the blood of that unjust slaughter, and with them lay hold[131] of the most holy body of the Lord? Wilt thou put the cup of that blood to thy mouth, who hast shed so much blood by the hasty decree of an angry and impetuous mind? This just reproof of the pious bishop, so handsomely addressed to the emperor, made such a deep impression on his mind, that it melted him into tears, and made him refrain from church as a penitent, till, by way of satisfaction, among other things, by St. Ambrose's direction, he made this good law, That no sentence of death, or proscription, for the future, should be executed till thirty days after its promulgation, that reason, and not passion, might judge of the equity and reasonableness of it. Such brave speeches, and such worthy effects, did that ancient pious custom minister the occasion to of old, which is now laid aside in the Roman church, and changed into another custom, that has neither precedent nor use; serving only to feed superstition, and keep men under the monstrous and inveterate prejudices of transubstantiation, which this innocent rite served in some measure to keep out of the minds of men in the primitive church.

Sect. 7. Whether the same custom was observed in delivering it to women and children.

It is further observable, that in this case no distinction was made between men, women, and children, but all received into their own hands who were capable of so doing. Only in the latter end of the sixth century, we find a rule made about women, that they should not receive it in their bare hand, but in a fair linen cloth. Some think this as ancient as St. Austin's time, because, in one of the sermons De Tempore,[132] that go under his name, there is mention made of it; for there it is said, it was customary for men to wash their hands when they communicated, and for women to bring their little linen cloths to receive the body of Christ. But, as many of these sermons are spurious, so this in particular is sometimes ascribed to other authors, and therefore no weight can be laid upon it. However, the council of Auxerre[133] in France, anno 590, made a rule, That no woman should receive the eucharist in her bare hand. But after what manner she should receive it in her hand, is not said. A great many learned persons think that another canon in that council[134] orders them to receive it in a linen cloth, because there is mention made of women's wearing a *dominicale* when they communicate; which they interpret, a linen cloth upon their hand. So not only Baronius, and Binnius, and Sylvius, but also Bona,[135] and Habertus,[136] and even Mabillon,[137] and Vossius,[138] understand it. But Baluzius, who is often more sagacious than the rest in telling the meaning of hard words, says, It means only the women's veil, which they were obliged to wear upon their heads by ancient canons, conformable to the rule of the apostle.[139] And for this he quotes an ancient collection of canons, where, in the council of Mascon, the *dominicale* is expressly styled the veil which the women wore upon their heads at the communion. So that, whatever covering the women used for their hands when they received the communion, it is plain it was a different thing from the *dominicale*. The council of Trullo[140] speaks of some in the Greek church, who would not receive the sacrament in their hands, but in some little instrument of gold or other precious material, out of a pretended reverence to it; but they condemn, and forbid it as a superstitious practice; ordering all persons to receive the communion in their own hands, set in the form of a cross, as is appointed in Cyril's Catechisms,[141] and some others before them: and for those that pretended to bring those little trinkets to receive the communion with, they order them to be rejected, as persons who preferred inanimate matter to the living image of God. And withal they threaten suspension to any priest that shall admit any communicants to receive in such manner. By which it is plain no alteration was as yet allowed in this matter in the Greek church.

Sect. 8. The eucharist usually delivered to the people with a certain form of words, to which they answered, Amen.

The next thing observable is, that the priest in delivering the elements to the people used a certain form of words, to which the people answered, Amen. The form at first seems to have been no more than this: "The body of Christ;" and, "The blood of Christ;" to each of which the people subjoined, Amen. Tertullian is thought to refer to this, when he asks a Christian[142] who was used to frequent the Roman theatres, how he could give testimony to a gladiator with that mouth wherewith he was wont to say Amen in the holy mysteries? But that may refer as well to the Amen which they used at the end of the great consecration prayer, as to this form at the delivery. How-

[131] Ap. Theodor. Hist. lib. 5. cap. 18.

[132] Aug. Ser. 252. de Temp. Omnes viri, quando communicare desiderant, lavant manus: et omnes mulieres exhibent linteamina, ubi corpus Christi accipiant.

[133] Conc. Antissiodor. can. 36. Non licet mulieri nuda manu eucharistiam accipere.

[134] Ibid. can. 42. Unaquæque mulier, quando communicat, dominicalem suum habeat. Quod si non habuerit, usque in alium diem Dominicum non communicet.

[135] Bona, Rer. Liturg. lib. 2. cap. 17. n. 3.

[136] Habert. Archieratic. par. 10. observ. 8. p. 264.

[137] Mabil. de Liturg. Gallic. lib. 1. cap. 5. n. 25.

[138] Voss. Thes. Theol. de Symbolis Cœnæ Dom. p. 477.

[139] Baluz. Not. in Gratian. Caus. 33. Quæst. 3. cap. 19. Si mulier communicans dominicale suum super caput suum non habuerit, usque ad alium diem Dominicum non communicet.

[140] Conc. Trull. can. 101. [141] Cyril. Catech. Myst. 5. n. 18.

[142] Tertul. de Spectac. cap. 25. Quale est—ex ore quo Amen in sanctum protuleris, gladiatori testimonium reddere?

ever, Cornelius, bishop of Rome, not long after speaks expressly of it. For he says,[143] Novatian was used to make the people of his party swear by the body and blood of Christ, when he delivered the eucharist to them, that they would not forsake his party and go over to Cornelius. So, says he, every man, instead of saying Amen, when he takes the bread, is forced to say, I will not return to Cornelius. The author of the Constitutions speaks of the form in this manner:[144] Let the bishop give the oblation, saying, "The body of Christ;" and let the receiver answer, Amen. Let the deacon hold the cup, and when he gives it say, "The blood of Christ, the cup of life;" and let him that drinks it say, Amen. So St. Cyril[145] bids his communicant receive the body of Christ, and say, Amen. And St. Ambrose,[146] The priest says to thee, "The body of Christ," and thou answerest, Amen. The like, as to the people's answering Amen, is noted by St. Austin[147] as the general practice of the whole world. And so by St. Jerom,[148] Leo Magnus,[149] and many others. By the time of Gregory the Great, the form of delivery was a little enlarged: for then they said, "The body[150] of our Lord Jesus Christ preserve thy soul." And by the time of Alcuin and Charles the Great, it was augmented into this form, "The body of our Lord Jesus Christ[151] preserve thy soul unto everlasting life;" which is much the same with the former part of that which is now used in our liturgy. The Scotch liturgy also orders the people to answer, Amen; which, we see, is conformable to ancient practice. The Romanists generally draw this answer of the people into an argument for transubstantiation; because saying Amen implies as much as the true body of Christ. But they might as well argue, that the bread is transubstantiated into the bodies of the people, and that they too are but one proper, substantial, true, numerical body with their Lord; because St. Austin says this is one meaning of the body of Christ, to which, when the priest spake it, they answered, Amen: Ye answer Amen, says he,[152] to what ye are, (that is, the body of Christ,) and by your answer subscribe to the truth of it. Thou hearest the priest say, "The body of Christ," and thou answerest, Amen; be thou a member of the body of Christ, that thy Amen may be true. In another place he says, it denoted their belief of the reality of Christ's suffering for them, that his blood was truly shed[153] for their sakes, and that they made profession of this by saying Amen, This is true. And again,[154] Christ shed his blood upon the cross for our sakes: and ye who are communicants know what testimony ye bear to the blood which ye receive; for ye say Amen to it. Ye know what that blood is "which was shed for many, for the remission of sins." So that in whatever sense we take it, there is no necessity of making it to signify a corporeal and substantial presence, which it is certain St. Austin never thought of.

Sect. 9. How Novatian and others abused the communion to wicked purposes.

It is here proper, before we pass on, to make a just reflection upon the horrible abuses of the communion committed by some against the true end and design of it, which was intended by Christ to represent our union with himself and one another, but wicked men made use of it to base ends and purposes. We have already heard how Novatian abused it to strengthen his schism, and bind men over by an oath upon it, that they would not desert his interest and party. And it was a like abuse that was some time allowed in the superstitious times of popery under the general notion of many other superstitious practices, called canonical purgations; which was, that when any one was suspected of a crime, he was to purge himself by taking the sacrament upon it. Gratian cites a canon out of the council of Worms[155] to this purpose: Whereas it often happens, that thefts are committed in monasteries, and they that commit them are not known: we therefore order, that when the brethren are to purge themselves of such suspicions, mass shall be celebrated by the abbot, or some other appointed by him, and when it is ended, every one of

[143] Ap. Euseb. lib. 6. cap. 43. p. 245.

[144] Constit. lib. 8. cap. 13.

[145] Cyril. Catech. Myst. 5. n. 18.

[146] Ambros. de Sacram. lib. 4. cap. 5. Dicit tibi sacerdos, Corpus Christi: et tu dicis, Amen, id est, Verum. It. de Initiatis, cap. 9.

[147] Aug. cont. Faust. lib. 12. cap. 10. Habet magnam vocem Christi sanguis in terra, cum eo accepto ab omnibus gentibus respondetur Amen.

[148] Hieron. Ep. 62. ad Theophil.

[149] Leo, Ser. 6. de Jejunio septimi Mensis.

[150] Joan. Diacon. Vit. Gregor. lib. 2.

[151] Alcuin. de Offic. et Helgaldus, Vita Roberti Regis Galliæ, ap. Bonam, Liturgic. lib. 2. c. 17. n. 3.

[152] Aug. Serm. ad Infantes, ap. Fulgent. de Baptismo Æthiopis, cap. 11. Ad id quod estis, respondetis, Amen, et respondendo subscribitis. Audis Corpus Christi, et respondes, Amen. Esto membrum corporis Christi, ut sit verum Amen tuum.

[153] Aug. Ser. de 4. Feria sive Cultura Agni, t. 9. p. 319. Quid dicit omnis homo, quando accipit sanguinem Christi? Amen dicit. Quid est amen? Verum est. Quid est verum? Quia fusus est sanguis Christi.

[154] Id. Ser. 29. de Verbis Apost. t. 10. p. 150. In cruce pro nobis sanguinem fudit: et nostis fideles quale testimonium perhibeatis sanguini quem accepistis. Certe enim dicitis Amen. Nostis qui sit sanguis qui pro multis effusus est in remissionem peccatorum.

[155] Conc. Wormat. can. 15. ap. Grat. Caus. 2. Quæst. 5. cap. 23. Sæpe contingit, ut in monasteriis furta perpetrentur, et qui hæc committant ignorentur. Idcirco statuimus, ut quando ipsi fratres de talibus se expurgare debuerint, missa ab abbate celebretur, vel ab aliquo cui ipse abbas præceperit, præsentibus fratribus: et sic expleta missa, omnes communicent in hæc verba; Corpus Domini sit mihi ad probationem hodie.

them shall communicate, saying these words, "Let the body of Christ be my purgation this day." But though this was allowed by a council, it is justly reckoned a great abuse by all sober men. Antonius Augustinus, in his Emendations upon Gratian,[156] passes this censure upon it, that it is to be ascribed to the great corruption and filth of the times which allowed it. For even, as the old glosser upon Gratian observes,[157] the communion was not to be given to suspected persons, as he proves from other laws, particularly the extravagant *de Purgatione Canonica, cap. Cum dilectis.* And therefore, he says, this canon in Gratian was of no force, being disannulled in law. So that we need not scruple to call this a great abuse of the holy communion, though it had synodical authority some time to enjoin the practice of it. I know nothing hardly that exceeds it under pretence of religion, unless it be that more horrible abuse which Baronius[158] himself relates out of the Greek historians, concerning Pope Theodore and the Roman council, anno 648, who, in their censure of Pyrrhus and Paulus, the Monothelite heretics, took blood out of the cup, and mingled it with ink, and therewith subscribed their condemnation. An unparalleled instance of intemperate zeal, for which there was neither law nor example in the Roman church, as Baronius confesses, nor any instance like it, save one in the Greek church, when Ignatius, in the council of Constantinople, anno 869, made use of the blood in the sacred cup instead of ink to condemn his adversary Photius, as Baronius also tells us[159] out of Nicetas, in his Life of Ignatius. But I pass over these horrible abuses, more becoming Draco, and his sanguinary laws, than the pens and practices of Christian bishops, and go on with the more innocent practices of the primitive church.

Sect. 10. Proper psalms for the occasion usually sung while the people were communicating.

During the time of communicating, while the elements were distributed to the people, it was usual in most places for the singers or all the people to sing some psalm suitable to the occasion. The author of the Constitutions[160] prescribes the thirty-third Psalm, which in our division is the thirty-fourth, for this purpose: "I will bless the Lord at all times, his praise shall be always in my mouth." Which was chiefly sung upon the account of those words relating to the sacrament, "O taste and see that the Lord is gracious," &c. For so St. Cyril more plainly declares, when he says,[161] After this you hear one singing with a Divine melody, and exhorting you to partake of the holy mysteries, and saying, "O taste and see that the Lord is gracious." St. Jerom also seems to intimate,[162] that they sung both this and the 45th Psalm, when he says, They received the eucharist always with a good conscience, hearing the psalmist sing, "O taste and see that the Lord is gracious:" and singing with him, "My heart is inditing of a good matter, I speak of the things which I have made unto the king." This being a psalm peculiarly setting forth the praises of Christ, and the affection of the church toward him: "Hearken, O daughter, and consider, incline thine ear, forget also thine own people and thy father's house: so shall the King have pleasure in thy beauty; for he is thy Lord God, and worship thou him." In Africa they seem to have delighted much in this custom, insomuch that when one Hilarius a tribune railed against it and all other singing of psalms at the altar, St. Austin wrote a book particularly in vindication of it, which is now lost, but he mentions it in his Retractations.[163] And both he and Tertullian seem to intimate, that among other psalms they sung the one hundred and thirty-third: "Behold, how good and joyful a thing it is, brethren to dwell together in unity!" For Tertullian says,[164] They were used to sing this psalm when they supped together: by which most probably he means the Lord's supper. And St. Austin says, it was a psalm so noted and well known,[165] by its constant use, that they who knew nothing of the Psalter, could repeat that psalm, as having often heard it sung, probably at the altar. And he seems to say,[166] that they sung the 33rd Psalm upon the same occasion. For he says expressly they sung it daily, "I will bless the Lord at all times, his praise shall ever be in my mouth." Which considering how many writers before speak of it as sung at the distribution of the elements, it is probable St. Austin meant the same, that it was sung daily at the altar. St. Chrysostom says they sung the 145th Psalm upon this occasion, chiefly upon the account of those words in it, "The eyes of all wait upon thee, and thou givest them their meat in

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[156] Anton. August. de Emend. Grat. lib. 1. Dial. 15. p. 172. Hæc omnia sunt illorum temporum sordibus adscribenda.

[157] Glossa in loc. Gratiani. Huic capiti est derogatum, quia suspectis non est danda eucharistia.

[158] Baron. an. 648. n. 15. ex Theophane.

[159] Ibid. an. 869. t. 10. p. 428. [160] Const. lib. 8. cap. 13.

[161] Cyril. Myst. Catech. 5. n. 17.

[162] Hieron. Ep. 28. ad Lucin. Bœticum.

[163] Aug. Retract. lib. 2. cap. 11. Morem qui tunc esse apud Carthaginem cœperat, ut hymni ad altare dicerentur de psalmorum libro, sive ante oblationem, sive cum distribueretur populo quod fuisset oblatum, maledica reprehensione ubicunque poterat lacerabat, &c. Huic respondi, et vocatur liber contra Hilarium.

[164] Tertul. de Jejun. cap. 13. Vide quam bonum et quam jucundum habitare fratres in unum. Hoc tu psallere non facile nosti, nisi quo tempore cum compluribus cœnas.

[165] Aug. in Psal. cxxxiii. p. 629. Psalmus brevis est, sed valde notus et nominatus. Ecce quam bonum et quam jucundum, &c. Ita sonus iste dulcis est, ut et qui psalterium nesciunt, ipsum versum cantent.

[166] Ibid. p. 630. Impletum est in eo quod quotidie cantamus, si et moribus consonemus: Benedicam Dominum in omni tempore, semper laus ejus in ore meo.

due season." For he interprets this of their spiritual meat at the Lord's table. This psalm, says he,[167] is diligently to be noted: for this is the psalm which has these words, which they that are initiated in the holy mysteries sing continually in consort, saying, "The eyes of all wait upon thee, and thou givest them their meat in due season." For he that is made a son, and partaker of the spiritual table, does justly give glory to his Father. Thou art a son, and partaker of the spiritual table; thou feedest upon that flesh and blood which regenerated thee: therefore give thanks to him that vouchsafes thee so great a blessing, glorify him who grants thee these favours: when thou readest the words, compose and tune thy soul to what is said, and when thou sayest, "I will exalt thee, my God, my King," (which are the first words of this psalm,) show thy great love and affection to him, that he may say to thee, as he said to Abraham, "I am thy God." In the liturgy which goes under St. Chrysostom's name,[168] there is mention made of the people's singing at this time, but no psalm specified, as here in his genuine works. In the liturgy called St. James's[169] of Jerusalem, the words of the 34th Psalm, "O taste and see that the Lord is gracious," are appointed to be sung by the singers. St. Mark's liturgy[170] appoints the 42nd Psalm, "As the hart desireth the water brooks, so panteth my soul after thee, O God." And Cotelerius[171] has observed, that in some ancient rituals at the end of Gregory's Sacramentarium the 139th Psalm is appointed: "O Lord, thou hast searched me out, and known me," &c. So that though the custom of singing psalms in this part of the service was universal, the particular psalms varied according to the wisdom and choice of the precentor, or the different rules and usages of different churches. I have now stated and resolved the several questions and cases that may be put concerning the manner of communicating in the ancient church; and there remains but one thing more to be considered, which was the solemn thanksgiving and prayers after receiving, which may be included with some other concomitant rites in the general name of their post-communion service; of which we will discourse in the following chapter.

CHAPTER VI.

OF THEIR POST-COMMUNION SERVICE.

Sect. 1. The communion service closed with

When all the people had communicated, and the deacons had removed the remainder of the elements into the *pastophoria*, or place appointed for their reception; it was usual first for a deacon to admonish the people to return thanks for the benefits which they had received. The form of this exhortation in the Constitutions[1] runs thus: "Now that we have received the precious body and the precious blood of Christ, let us give thanks to him that hath vouchsafed to make us partakers of his holy mysteries; and let us beseech him that they may not be to our condemnation, but salvation, for the benefit of our soul and body, for the preservation of us in piety, for the remission of our sins, and obtaining of the life of the world to come." Then he bids them rise up, and commend themselves to God by Christ. Upon which the bishop makes a prayer of thanksgiving and commendation of the people to God in the following words:

several sorts of thanksgiving. First, the deacon's bidding prayer and thanksgiving.

Sect. 2. The bishop's thanksgiving or commendation of the people to God.

"O Lord God Almighty, the Father of thy Christ, thy blessed Son; who hearest those that with an upright heart call upon thee, who knowest the supplications of those that in silence pray unto thee; we give thee thanks for that thou hast vouchsafed to make us partakers of thy holy mysteries, which thou hast given us for the confirmation or full assurance of those things which we stedfastly believe and know, for the preservation of our piety, for the remission of our sins; because the name of thy Christ is called upon us, and we are united unto thee. Thou that hast separated us from the communion of the ungodly, unite us with them that are sanctified unto thee; confirm us in thy truth by the coming of thy Holy Spirit and his resting upon us; reveal unto us what things we are ignorant of, supply what we are deficient in, and strengthen us in what we know. Preserve thy priests unblamable in thy service, keep our princes in peace, our governors in righteousness, the air in good temperature, the fruits of the earth in plenty, and the whole world by thy almighty providence. Pacify the nations that are inclined to war; convert those that go astray; sanctify thy people; preserve those that are in virginity; keep those that are married in thy faith; strengthen those that are in chastity; bring infants to mature age; confirm those that are newly baptized; instruct the catechumens, and make them fit and worthy of baptism: and gather us all into the kingdom of heaven, through Jesus Christ our Lord, with whom unto thee and the Holy Spirit be glory, honour, and adoration, world without end. Amen."

Sect. 3. The bishop's benediction.

After this the deacon bids the people bow their heads to God in Christ, and receive the benediction. Then

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[167] Chrys. in Ps. cxliv. t. 3. p. 594. [168] Ib. Litur. t. 4. p. 618.
[169] Jacob. Liturg. Bibl. Patr. Gr. Lat. t. 2. p. 20.
[170] Marci Liturg. ibid. p. 40.

[171] Coteler. in Constit. lib. 8. cap. 13.
[1] Constit. lib. 8. cap. 14. it is called *προσφώνησις μετὰ τὴν μετάληψιν.*

the bishop pronounces the benediction in this following prayer: "Almighty God, and true, with whom no one can compare, who art every where, and present unto all, yet not in them as things of which they consist; who art circumscribed by no place, not grown old with time, nor bounded by ages; who art without generation, and needest no preserver; who art above all corruption, uncapable of change, and unalterable by nature; that dwellest in light which no one can approach unto, and art invisible by nature; that art known to all rational natures that seek thee with an upright heart, and art apprehended by those that search after thee with a pure mind; O thou God of Israel, the Israel that truly sees thee, and the people that believe in Christ, show thyself propitious, and hear me for thy name's sake: bless this people that bow their necks unto thee, and grant them the petitions of their heart that are expedient for them, and suffer none of them to fall from thy kingdom; but sanctify them, keep and protect, help and deliver them from the adversary, and from every enemy; preserve their houses, and defend their going out and their coming in: for to thee belongs glory, praise, majesty, worship, and adoration; and to thy Son Jesus, thy Christ, our Lord and God and King; and to the Holy Spirit, now and for ever, world without end. Amen."

Sect. 4. The deacon's form of dismissing the people with the short prayer, "Go in peace."

After this the deacon used a short form of words in the nature of a prayer for peace, which was the signal wherewith he dismissed the whole assembly; intimating that the whole service was now finished, and therefore praying that the peace of God might continue with them, and preserve them, he said, Ἀπολύεσθε ἐν εἰρήνῃ, "Depart in peace." This was the usual form of breaking up all religious assemblies in the Greek church, as we have noted before in speaking[2] of the daily morning service out of this author: and we are assured of it from St. Chrysostom,[3] who, speaking of the frequent use of that short prayer of salutation, "Peace be with you," particularly takes notice of the deacon's using it at the dismission of the assembly: The deacon, says he, when he dismisses you from this meeting, does it with this prayer, Πορεύεσθε ἐν εἰρήνῃ, "Go in peace." Whence we may learn, that they did not use it as an empty form, but as a short solemn prayer, to send them away with a benediction, or the blessing of God upon them.

Sect. 5. What account we have of these prayers in other writers.

As for the other prayers used in this part of the service, we have no particular account of them in other writers; but they tell us in general, that such forms of praise and thanksgiving were always used after the communion. St. Austin says,[4] when all was ended, and every one had received the communion, a solemn thanksgiving concluded the whole action. And so Cyril of Jerusalem[5] bids his newly baptized communicant stay, when the communion was done, to give thanks to God, who had vouchsafed to make him a partaker of so great mysteries. St. Chrysostom has a long invective[6] against those who would not stay these last prayers, but as soon as they had communicated themselves, would be gone, and leave their brethren to give thanks alone: whom he compares to Judas, who left the apostles after supper before the last hymn was sung; but all the other apostles staid to sing the hymn with their Lord, from whose example the church took up the custom of making these last prayers after the communion. It is an excellent passage, and therefore I will transcribe it at length in his own words: "Would you have me tell you, what is the cause of noise and tumult in the church? It is because we shut not the doors upon you all the time of Divine service, but suffer you to draw off and go home before the last thanksgiving; which is a great contempt of God's ordinance. What meanest thou, O man, in so doing? Christ is present, the angels stand by him, the tremendous table is spread, thy brethren are yet communicating, and dost thou desert them and fly off? If thou art called to a common entertainment, thou dost not presume, whilst the rest are sitting, to depart before thy friends, though thou hast filled thyself before them: and dost thou here leave all and depart, whilst the holy mysteries of Christ are celebrating, and the sacred offices performing? What pardon can be expected, what apology can be made for this? Shall I tell you plainly, whose work they are a doing, who thus depart before all is finished, and wait not for the eucharistical hymns at the end of the supper? It may perhaps seem a hard and odious saying, but it is necessary to be said, to reprove the negligence of many. When Judas communicated at the last supper in that last night, whilst all the rest were sitting at table, he stole off and went out; and they imitate him, who go away before the last thanksgiving. For if he had not gone out, he had not been made the traitor; if he had not deserted his fellow disciples, he had not perished; if he had not broken away from the flock, the wolf had not found him alone; if he had not separated himself from the Shepherd, he had not been a prey to the wild beast. Upon this account we find him among the Jews, but the rest stay to sing a hymn, and go forth with their Lord. Do you not now see, that the last prayers after the sacrifice

[2] Book XIII. chap. 10. sect. 8.

[3] Chrys. Hom. 52. in eos qui Pascha jejunant, t. 5. p. 713.

[4] Aug. Ep. 59. ad Paulin. Quæst. 5. Quibus peractis, et participato tanto sacramento, gratiarum actio cuncta concludit.

[5] Cyril. Catech. Myst. 5. n. 19.

[6] Chrys. Hom. 24. de Bapt. Christi, t. 1. p. 317. It. Hom. 82. al. 83. in Mat. n. 700.

take their rise from that example?" Thus far St. Chrysostom, who seems to intimate that they had not only prayers, but also psalms and hymns of thanksgiving, in imitation of our Saviour's singing a hymn after his last supper with his disciples. And it is very probable, from what St. Chrysostom tells us in another place, that the church had such an affection for David's Psalms, that she used and interspersed them in all her offices. *Primus et medius et novissimus est David*,[7] David was in the beginning, and middle, and end of her services. It is true, the author of the Constitutions takes no notice of psalms or hymns in the forementioned place; but in another place,[8] where he has also a prayer, *μετὰ τὴν μετάληψιν*, after participation, besides the thanksgiving, there is order to sing, *Maranatha*, that is, "The kingdom of God," or, "The Lord, cometh:" and also, "Hosanna to the Son of David. Blessed is he that cometh in the name of the Lord: blessed be the Lord our God, who was manifested to us in the flesh." Which seems to imply, that there were different usages in different churches, and that this author made his collections vary sometimes from themselves, by interposing the rites of different churches. In the old Gothic Missal, published by Mabillon, there is nothing appointed after the communion but only two prayers, the one called, *post communionem;* and the other, *collectio*, the collect or concluding prayer. And it is much after the same manner in the Mozarabic liturgy, of which Mabillon gives a specimen or two in his Appendix. But in the Greek liturgies, as that under the name of St. James,[9] besides the prayers, there are several short hymns and praises collected out of the Psalms and other Scriptures appointed to be said after the communion: as that of the 57th Psalm, "Set up thyself, O God, above the heavens, and thy glory above all the earth." And, "Blessed be the name of the Lord from this time forth for evermore." And, "Blessed be he that cometh in the name of the Lord. Save thy people, O God, and bless thine heritage." And, "O let our mouth be filled with thy praise, that we may sing of thy glory and honour all the day long," Psal. lxxi. 7. So in St. Chrysostom's liturgy,[10] the people are appointed to sing those words of the 113th Psalm, "Blessed be the name of the Lord from this time forth for evermore." And the whole 34th Psalm, "I will always give thanks unto the Lord, his praise shall ever be in my mouth."

Sect. 6. The thanksgivings always made in the plural number by the whole body of the church.

And it is observable, that in all the ancient forms, the thanksgiving prayers are always in the plural number, representing the whole body of the communicants as returning their praises to God for the mercies they had received. For then there were no private nor solitary masses, where the priest says the office alone by himself without any hearers, or communicates alone without any par takers; but they all assisted and communicated together: and so long it was very rational and proper to return a general thanksgiving for the benefits of the communion which they had all received. But since private and solitary masses came in, all these forms are very improper and absurd, to tell God, they have all received the sacrament, and bless him for it, when none has received it but one, and sometimes none has so much as heard the office, but the priest alone that repeats it. Yet these offices now stand in the Roman mass, to the eternal reproach of those that abuse them. For they still say, *Quod ore sumpsimus*, &c., "That which we[11] have received with our mouths, O Lord, grant that we may receive with a pure mind; and of a temporal gift, make it unto us an eternal remedy." And there are many other prayers in the same tenor; all which suppose many to have communicated, when yet no one has received but the priest alone. Bona[12] confesses this is not according to the primitive custom. For those prayers were instituted at first for communicants, when all or a great part of the church communicated together; for otherwise the very name of communion would here be improperly used, if more than one did not partake of the sacrifice. And all he has to say for their retaining those prayers in the mass, when the use of them by private mass is become so improper, is only this: That though the ancient custom of many communicating together be left off, yet no change is made in the prayers, but they are retained still, to show us what was done anciently, and to excite us by the very tenor of the prayers to return to the primitive fervour. How happy would it be, if the Roman church would in all things observe this rule, and return to the laudable practice and simplicity of the ancient church; reforming her offices by the primitive standard, and casting away all those corruptions, which appear from the whole series of this history to be manifest innovations, either privately crept in by connivance and negligence in times of ignorance, or else forcibly imposed by tyranny and power, contrary to the usages of the ancient church, and many times to the very design of Divine service, and the natural intent of holy institutions! As it is plain in the case of having Divine service in an unknown tongue, and worshipping saints and angels, and images and crosses, with Divine worship, and dividing the sa-

[7] Chrys. Hom. 6. de Pœnitentia, in Edit. Latinis.

[8] Constit. lib. 7. cap. 26.

[9] Liturg. Jacob. Bibl. Patr. Gr. Lat. t. 2. p. 21.

[10] Chrys. Litur. t. 4. p. 621.

[11] Missal. Roman. p. 24. de Ritu celebrandi Missam, et in Canone Missæ, p. 306.

[12] Bona, Rerum Liturgic. lib. 2. cap. 20. n. 1.

crament, and ministering it only in one kind, and many other things of the like nature; which, as they contradict the very end of the Divine ordinances, and the natural design of God's institutions, so they run counter to the whole practice of the ancient church, as any one may see by considering the allegations produced in these collections, in which I have endeavoured to point out as well the rise of errors and the original of corruptions in latter ages, as the true ancient practice of the primitive church, in all the several parts of Divine service relating to the ordinary worship of God.

And here I should have put an end to this account, but that there are a few questions more that may be asked concerning some appendages and circumstances of the communion, which it will be proper to answer in this place. As, 1. How they were used to dispose of the remains of the eucharist after communicating? 2. What was their usage and practice in regard to their *agape* or feast of charity, so famous in ancient history? 3. What preparation they required as necessary to communicants, to qualify them for a worthy reception? 4. What time they administered the Lord's supper, and how often they exhorted or obliged all persons to receive it? I will give as short an answer as I can to these questions, and therewith put an end to this discourse.

CHAPTER VII.

HOW THE REMAINS OF THE EUCHARIST WERE DISPOSED OF. AND OF THEIR COMMON ENTERTAINMENT, CALLED AGAPE, OR FEAST OF CHARITY.

Sect. 1. Some part of the eucharist anciently reserved for particular uses.

WE have observed before, in several places of this Book, that some part of the eucharist was commonly reserved for several particular uses, to be sent to the absent, and communicate the sick, and to testify the communion of distant churches one with another. And this was one way of disposing of the remains of the consecrated elements when the communion was ended: to which, I conceive, the author of the Constitutions had regard, when he orders the deacon[1] to carry what remained into the *pastophoria* or vestry, which was the repository for all holy things belonging to the church.

Sect. 2. The rest divided among the communicants.

If any thing remained over and above what was necessary for these uses, then by other rules it was to be divided among the communicants. As appears from the canons of Theophilus, bishop of Alexandria, one of which is to this purpose:[2] Let the clergy and the faithful, that is, the communicants, divide among themselves the oblations of the eucharist, after all have participated, and let not a catechumen eat or drink of them.

Sect. 3. This division of the consecrated elements a distinct thing from the division of the other oblations.

Some learned persons[3] confound this division or consumption of the consecrated elements with that other division of the oblations among the clergy, and allege the author of the Constitutions for it, as if he intended this when he says,[4] Let the deacons divide what remains of the mystical *eulogiæ*, by the orders of the bishop or presbyters, among the clergy; to the bishop four parts, to the presbyter three parts, to the deacon two parts, to the rest of the clergy, subdeacons, readers, singers, deaconesses, one part. For this is acceptable to God, that every man should be honoured according to his dignity. It is plain, he speaks not here of the consecrated elements, but of the division of the people's oblations among the clergy, as Cotelerius rightly expounds it. For this was one way of maintaining the clergy in those days, as has been more fully shown[5] in another place. And though he calls these by the name of the mystical *eulogiæ*, yet that does not determine it to the consecrated elements; for, as has been noted before, *eulogiæ* is a common name that signifies both. And Socrates[6] takes it for the oblations in this very case, when, speaking of Chrysanthus the Novatian bishop, he says, he never received any thing of the church save two loaves of the *eulogiæ* on the Lord's day. Where he certainly means not two loaves of the eucharist, but of the other oblations of the people, which it was customary for the clergy to have their proportioned shares in.

Sect. 4. The remains of the eucharist sometimes given to innocent children.

Sometimes what remained of the eucharist was distributed among the innocent children of the church. For, as I have briefly hinted before, whilst the communion of infants continued in the church, nothing was more usual, in many places, than both to give children the communion at the time of consecration, and also to reserve what remained unconsumed for them to partake of some day in the week following. Thus it was appointed by the second council of Mascon, in France, anno 588,[7] That if any remains of the sacrifice, after the service was ended, were laid up in the vestry, he who had the care of them should, on Wednesday or Friday, bring the innocents to church fasting, and then,

[1] Constit. lib. 8. cap. 13. [2] Theoph. can. 7.
[3] L'Estrange, Alliance of Div. Offic. chap. 7. p. 213.
[4] Constit. lib. 8. cap. 31.
[5] Book V. chap. 4. sect. 1.
[6] Socrat. lib. 7. cap. 12.

[7] Conc. Matiscon. 2. can. 6. Quæcunque reliquiæ sacrificiorum post peractam missam in sacrario supersederint, quarta vel sexta feria innocentes ab illo, cujus interest, ad ecclesiam adducantur, et indicto eis jejunio, easdem reliquias conspersas vino percipiant.

sprinkling the remains with wine, make them all partake of them. And Evagrius[8] says it was the custom of old at Constantinople to do the same; for when they had much remains of the body of Christ left, they were used to call in the children that went to school, and distribute them among them. And he tells this remarkable story upon it, That the son of a certain Jew happening one day to be among them, and acquainting his father what he had done, his father was so enraged at the thing, that he cast him into his burning furnace, where he was used to make glass. But the boy was preserved untouched for some days, till his mother found him: and the matter being related to Justinian the emperor, he ordered the mother and the child to be baptized; and the father, because he refused to become a Christian, to be crucified as a murderer of his son. The same thing is related by Gregory of Tours,[9] and Nicephorus Callistus,[10] who also adds, that the custom continued at Constantinople to his own time, that is, the middle of the fourteenth century; for he says, when he was a child, he was often called to partake of the remains of the sacrament after this manner among other children.

Sect. 5. And sometimes burnt in the fire.

In some places they observed the rule given by God for disposing of the remainders of the sacrifices of peace offerings and vows under the old law, which was to burn them with fire, Lev. vii. 17. This was the custom of the church of Jerusalem in the fifth century, when Hesychius, a presbyter of that church, wrote his Comment upon Leviticus, where he speaks of it in these words:[11] God commanded the remainder of the flesh and the bread to be burned with fire. And we now see with our own eyes the same thing done in the church: whatever happens to remain of the eucharist unconsumed, we immediately burn with fire, and that not after one, two, or many days. From hence our learned writers[12] generally observe two things: 1. That it was not the custom of the church of Jerusalem to reserve the eucharist so much as from one day to another, though they did in some other churches. 2. That they certainly did not believe it to be the natural body and substance of Christ, but only his typical or symbolical body: for what a horrible and sacrilegious thing must the very Jews and heathens have thought it, for Christians to burn the living and glorified body of their God! And how must it have scandalized simple and plain Christians themselves, to have seen the God they worshipped burnt in the fire! And with what face could they have objected this to the heathen, that they worshipped such things as might be burnt, (which is the common argument used by Arnobius, Lactantius, Athanasius, and most others,) if they themselves had done the same thing? If there were no other argument against transubstantiation and host worship, this one thing were enough to persuade any rational man, that such doctrines and practices were never countenanced by the ancient church.

Sect. 6. The other oblations partly disposed of in a feast of charity; which all the ancients reckon an apostolical rite accompanying the communion.

We have seen how they disposed of the consecrated elements; and are next to examine what they did with their other oblations. It has been already observed, that some part of these (by what distinction made is not very easy to tell) went toward the maintenance of the clergy. Out of the rest a common entertainment was usually made, which, from the nature and circumstances of it, was usually called *agape*, or feast of charity;[13] because it was a liberal collation of the rich to feed the poor. St. Chrysostom gives this account of it, deriving it from apostolical practice: he says,[14] The first Christians had all things in common, as we read in the Acts of the Apostles; and when that ceased, as it did in the apostles' time, this came in its room, as an efflux or imitation of it. For though the rich did not make all their substance common, yet, upon certain days appointed, they made a common table, and when their service was ended, and they had all communicated in the holy mysteries, they all met at a common feast; the rich bringing provisions; and the poor and those who had nothing being invited, they all feasted in common together. In another place,[15] he repeats the same thing, saying, From this law and custom (of having all things common) there arose then another admirable custom in the churches. For when all the faithful met together, and had heard the sermon and prayers, and received the communion, they did not immediately return home upon the breaking up of the assembly, but the rich and wealthy brought meat and food from their own houses, and called the poor, and made a common table, a common dinner, a common banquet in the church. And so from this fellowship in eating, and the reverence of the place, they were all strictly united in charity one with another, and much pleasure and profit arose thence to them all: for the poor were comforted,

[8] Evagr. lib. 4. cap. 36.

[9] Gregor. Turon. de Glor. Martyr. lib. 1. cap. 10.

[10] Niceph. lib. 17. cap. 25.

[11] Hesych. in Levit. lib. 2. Quod reliquum est de carnibut et panibus, in igne incendi præcepit. Quod nunc videmus etiam sensibiliter in ecclesia fieri, ignique tradi quæcunque remanere contigerit inconsumta, non omnino ea quæ una die, vel duabus aut multis servata sunt.

[12] Vid. Du Moulin, Novelty of Popery, lib. 7. Controv. 11. chap. 19. Albertin. de Euchar. p. 853. Whitby, Idolatry of Host Worship.

[13] Ignat. Ep. ad Smyrn. n. 8. Ἀγάπην ποιεῖν. Ep. Interpol. calls it δοχὴν. Constit. lib. 2. cap. 28. Clem. Alex. Pædag. lib. 2. cap. 1. p. 165.

[14] Chrys. Hom. 27. in 1 Cor. p. 559.

[15] Id. Hom. 22. Oportet hæreses esse, &c. t. 5. p. 310.

and the rich reaped the fruits of their benevolence both from those whom they fed and from God. The same account is given by the author under the name of St. Jerom,[16] who says, when they met in the church, they made their oblations separately, and after the communion, whatever remained of those sacrifices, they eat and consumed in a common supper together. The like is said by Theodoret,[17] Œcumenius, Theophylact, and others upon that place of the apostle. From whence it appears, that this was a rite always accompanying the communion. And it is a singular opinion of Albaspinæus, when he asserts,[18] that these *agapæ* and the communion were never celebrated at the same time, which he maintains without any foundation against the concurrent sense both of ancient and modern writers.

Sect. 7. Whether this feast was before or after the communion in the apostles' days.

There is some difference indeed between the ancient and modern interpreters concerning one circumstance of these love-feasts in point of time, as practised in the apostles' days. The ancients, as we have heard already out of St. Chrysostom and the rest, generally say, these feasts were not till after the communion, when the whole ceremony of preaching, praying, and participating of the sacred elements was over, and the remainders of the oblations were to be disposed of. But many of the moderns think otherwise: Dr. Cave[19] says, it is probable that in the apostles' time, and the age after them, this feast was before the communion, in imitation of our Saviour's institution, who celebrated the sacrament after supper; and St. Paul, taxing the abuses of the church of Corinth, reproves them, that when they came together for the Lord's supper, they did not tarry one for another, but every one took his own supper, and one was hungry, and another was drunken. All this, he says, must needs be done before the celebration of the eucharist, which was never administered till the whole church met together. In this opinion, he has the concurrence of Suicerus,[20] and Daillé,[21] and Estius,[22] who says that Pelagius, Primasius, Haimo, Hervæus, Aquinas, Lyra, Cajetan, and others of the Latins, were of the same opinion. That which seems most probable is, that they observed no certain rule about this matter, but had their feast sometimes before, sometimes after the communion, as it appears to have been in some measure in the following ages.

Sect. 8. How observed in the following ages. The eucharist commonly received fasting, and before this feast, except upon some particular occasions.

For when the Christians in time of persecution were obliged to meet early in the morning before day to celebrate the eucharist in their religious assemblies, then their feasting before communion could not well comport with the circumstances and occasion of their meeting. And therefore, in the beginning of the second century, we find the eucharist was received before, and the feast postponed. For so Pliny[23] represents it in the account which he had from the Christians in the entrance of this century: for having said, That they met on the Lord's day to sing hymns to Christ, and bind themselves by a sacrament, it is added, When this is done, our custom is to depart, and meet again to partake of an entertainment, but that a very innocent one, and common to all. It is plain here, the communion was first, and the *agape* some time after. And so Tertullian, who gives the most particular account of it, speaks of it as a supper a little before night: Our supper, which you accuse of luxury, shows its reason in its very name: for it is called ἀγάπη, which signifies love among the Greeks. Whatever charge we are at, it is gain to be at expense upon the account of piety. For we therewith relieve and refresh the poor. There is nothing vile or immodest committed in it. For we do not sit down before we have first offered up prayer to God; we eat only to satisfy hunger; and drink[24] only so much as becomes modest persons. We fill ourselves in such manner, as that we remember still that we are to worship God by night. We discourse as in the presence of God, knowing that he hears us. Then, after water to wash our hands, and lights brought in, every one is moved to sing some hymn to God, either out of Scripture, or, as he is able, of his own composing; and by this we judge whether he has observed the rules of temperance in drinking. Prayer again concludes our feast; and thence we depart, not to fight and quarrel, not to run about and abuse all we meet, not to give ourselves up to lascivious pastime; but to pursue the same care of modesty and chastity, as men that have fed at a supper of philosophy and discipline, rather than a corporeal feast. As this is a fine description of these holy banquets, where charity is the foundation, and prayer begins and ends the feast, and singing of hymns and religious discourses season the entertainment, and modesty and temperance

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[16] Hieron. in 1 Cor. xi. 20. In ecclesia convenientes oblationes suas separatim offerebant, et post communionem quæcunque eis de sacrificiis superfuissent, illic in ecclesia communem cœnam comedentes pariter consumebant.

[17] Theod. in 1 Cor. xi. 16. Μετὰ τὴν μυστικὴν λειτουργίαν ἑστιᾶσθαι, κ.τ.λ. Œcumen. in 1 Cor. xi. t. 1. p. 529. Theophylact. in 1 Cor. xi. 17.

[18] Albasp. Observat. lib. 1. cap. 18. p. 57.

[19] Cave, Prim. Christ. par. 1. c. 11. p. 344.

[20] Suicer. Thesaur. Eccles. voce Ἀγάπη.

[21] Dallæ. de Objecto Cult. Relig. lib. 2. cap. 19.

[22] Estius in 1 Cor. xi. 20.

[23] Plin. lib. 10. Ep. 97. Quibus peractis morem sibi discedere, rursusque coeundi ad capiendum cibum, promiscuum tamen et innoxium.

[24] Tertul. Apol. cap. 39. Ita saturantur, ut qui meminerint etiam per noctem adorandum sibi esse; ita fabulantur, ut qui sciunt Dominum audire. Post aquam manualem et lumina, ut quisque de Scripturis Sanctis, vel de proprio ingenio potest, provocatur in medium Deo canere, &c.

runs through the whole: so the particular mention made of lights, and worshipping God by night, shows that they came after the communion, and not before, in Tertullian's time; when they were used to receive the communion in the morning, and always fasting, even upon those days when they deferred it till three in the afternoon, as upon the stationary days, or till six at night. For it was a rule in the African church, to receive the eucharist fasting at all times, except one day, which was the Thursday before Easter, commonly called *Cœna Domini*, because it was the day on which our Saviour celebrated his last supper, and instituted the eucharist after supper; in imitation of which, it was the custom to celebrate the eucharist after supper on this day, in the African churches, but on no other day whatsoever, as we learn from the third council of Carthage and St. Austin. The council of Carthage had an express canon to this purpose:[25] That the sacrament of the altar be never celebrated by any but such as are fasting, except on one anniversary day, when the supper of the Lord is solemnized. And pursuant to this they order, That if any commendation of the dead was to be made in the afternoon, it should only be done with prayers, and not with the celebration of the eucharist, if they that assisted at the funeral office had dined before. St. Austin was a member of this council, and he assures us, that this decree was conformable to the practice of the universal church in his age, which he thought to be derived from the appointment of the apostles. For though it be very apparent, that when the disciples first received the body and blood of the Lord, they did not receive fasting; yet does any one now accuse the universal church[26] because all men receive fasting? For so it pleased the Holy Ghost, that, for the honour of so great a sacrament, the Lord's body should enter into the mouth of a Christian before any other food. And therefore this custom is observed by the whole world. For neither because the Lord gave it after meat, ought the brethren to meet after dinner or supper to receive it, or to imitate those whom the apostle reproves and corrects, who mingled it with their tables. Our Saviour, to commend the greatness of this mystery, was minded indeed to fix it in the hearts and memory of his disciples as the last thing, before he went from them to his passion: but he did not therefore order in what manner it should be received, that he might reserve this for his apostles to do, by whom he intended to order his church. For if he had appointed, that men should receive it after meat, I suppose no one would have altered that custom. But when the apostle, speaking of this sacrament, says, "The rest will I set in order when I come," 1 Cor. xi. 34, we are given to understand, that he then appointed this custom of receiving fasting, which now the whole church over all the world observes without any variation or diversity. But adds, that some upon a probable reason were delighted to offer and receive the body of the Lord after meat on one certain day in the year, when the Lord himself gave his supper, to make the commemoration of it more remarkable. And because some on that day chose to fast, and others not, therefore in many places it was customary to offer the sacrifice twice, to serve the ends of both. St. Chrysostom also frequently speaks of their receiving the communion fasting.[27] Thou fastest, says he, before thou receivest the eucharist, that thou mayest be worthy. And in one or two places he vindicates himself from an objection which his adversaries brought against him, as if he was used to transgress this rule both in administering baptism and the eucharist. They say, I gave[28] the communion to some after eating. If I have done this, let my name be wiped out of the catalogue of bishops, and not be written in the book of the orthodox faith. If I have done any such thing, let Christ cast me out of his kingdom. But if they still go on to object this, let them also degrade St. Paul, who baptized a whole house after supper. Let them also depose the Lord himself, who gave the communion to his apostles after supper. So again,[29] They object against me, Thou didst first eat, and then administer baptism. If I did so, let me be anathema; let me not be numbered in the roll of bishops; let me not be among the angels; let me never please God. But if I had done so, what absurdity had I committed? Let them depose Paul, who baptized the jailer after supper. Yea, I will say a bolder thing, let them depose Christ himself, for he gave the communion to his disciples after supper. This shows the custom of the church was to administer both sacraments before eating, though at the same time it intimates, that to do otherwise was not an unpardonable crime. Gregory Nazianzen hints also at this custom[30] when he says, Every action of Christ is not necessary to be imitated by us: for he celebrated the mystery of the passover

[25] Conc. Carth. 3. can. 29. Ut sacramenta altaris non nisi a jejunis hominibus celebrentur, excepto uno die anniversario, quo cœna Domini celebratur. Nam si aliquorum pomeridiano tempore defunctorum, sive episcoporum sive cæterorum, commendatio facienda est, solis orationibus fiat, si illi qui faciunt, jam pransi inveniantur.

[26] Aug. Ep. 118. ad Januar. cap. 6. Liquido apparet, quando primum acceperunt discipuli corpus et sanguinem Domini, eos non accepisse jejunos. Nunquid tamen propterea calumniandum est universæ ecclesiæ quod a jejunis semper accipitur? Et hoc enim placuit Spiritui Sancto, ut in honorem tanti sacramenti, in os Christiani prius Dominicum corpus intraret, quam cæteri cibi. Nam ideo per universum orbem mos iste servatur, &c.

[27] Chrys. Hom. 27. in 1 Cor. p. 567.

[28] Chrys. Ep. 125. ad Cyriacum, t. 4. p. 868.

[29] Sermo ante quam iret in Exilium, t. 4. p. 969

[30] Naz. Orat. 40. de Baptismo.

with his disciples in an upper room, and after supper, but we do it in the church, and before supper. The like is said by St. Basil[31] and many other of the Greek writers. And among the Latins there are several canons of the councils of Braga,[32] Mascon,[33] Auxerre,[34] and Toledo[35] to this purpose. Some of which allow the African custom of communicating after eating on the Thursday in Passion Week, but others upon the account of the Priscillianists forbid it. And therefore Socrates notes it[36] as a singular thing in the churches of Egypt and Thebais, that on Saturdays they were used to administer the eucharist after eating in the evening. Which is prohibited by the council of Trullo,[37] not excepting the Thursday in Passion Week, which though the African fathers for probable reasons might allow, yet they utterly forbid it. By all which it appears, that the general custom of the church was to celebrate the eucharist fasting: and consequently, that these love-feasts we are speaking of must be held after the communion, and not before it. Yet it is but a sorry argument in Mabillon, to conclude hence[38] that the ancients must needs believe transubstantiation, because they received the communion fasting. For he might as reasonably have concluded from Chrysostom, that the water in baptism was transubstantiated, because we have heard him say before, that they always administered baptism fasting. And some learned men[39] are of opinion, that for the three first ages, though they generally received the eucharist fasting in the assemblies before day, yet sometimes they received after supper. For Cyprian, disputing against the Aquarians, who celebrated in the morning in water only, and in the evening in wine and water mixed together, does not contend with them about celebrating after supper, but only because they did not at both times mix wine with water, after Christ's example. He would not so easily have passed over the practice of the Aquarians in celebrating in the evening, had there been no instances of the like practice in the church: but as it was customary in Egypt to celebrate the eucharist on Saturdays after dinner, and in Africa one day in a year after supper; all he pleads for upon this point, is only this,[40] That the general custom of the church to celebrate the eucharist in the morning only, was not against the rule of Christ, though he gave it in the evening after supper; because Christ had a particular reason for what he did, which he did not intend should oblige the church: Christ offered in the evening, to signify the evening or end of the world; but we offer in the morning, to celebrate our Saviour's resurrection. And he gives another reason why they did not celebrate in the evening generally as in the morning, because the people could not so well all come together in the evening as in the morning. By which it is plain, in Cyprian's time there was no absolute rule to forbid communicating after supper, though the practice began generally to be disused, and the common custom was to receive fasting and at morning service.

Sect. 9. These love-feasts at first held in the church; but afterward forbidden by orders of councils.

There is one thing more to be observed of their love-feasts, that as they were designed for the promotion of unity and charity, they were commonly held in the church for the three first centuries, as learned men[41] conclude from that canon of the council of Gangra,[42] which was made against the Eustathians; If any one despises the feasts of charity which the faithful make, who for the honour of the Lord call their brethren to them, and comes not to the invitation, because he contemns them, let him be anathema. These Eustathians were men who held their meetings in private houses, and despised the church; which is the reason of this canon made against them. However, such abuses were sometimes committed in these feasts, that the council of Laodicea not long after made a law against having them in the church,[43] forbidding any to eat or spread tables in the house of God or the church. And a like decree was made in the third council of Carthage,[44] forbidding the clergy to feast in the church, unless it were by chance in a journey for want of other entertainment: and orders are given to restrain the people as much as might be from such feasting in the church. But the custom was too inveterate to be rooted out at once; and there-

[31] Basil. Hom. 1. de Jejunio.

[32] Conc. Bracar. 1. can. 16. Bracar. 2. can. 10.

[33] Conc. Matiscon. 2. can. 6.

[34] Conc. Antissiodor. can. 19. [35] Conc. Tolet. 7. can. 2.

[36] Socrat. lib. 5. cap. 22. [37] Conc. Trull. can. 29.

[38] Mabil. de Liturg. Gallicana, lib. 1. cap. 6. n. 7.

[39] Vid. Dallæ. de Objecto Cult. Relig. lib. 2. cap. 19. p. 297. Fell. Not. in Cypr. Ep. 63. p. 156.

[40] Cypr. Ep. 63. ad Cæcilium, p. 156. The objection of the Aquarians: An illa sibi aliquis contemplatione blanditur, quod etsi mane aqua sola offerri videtur, tamen cum ad cœnandum venimus, mixtum calicem offerimus? Cyprian's answer: Sed cum cœnamus, ad convivium nostrum plebem convocare non possumus, ut sacramenti veritatem fraternitate omni præsente celebremus. The Aquarians object: At enim non mane, sed post cœnam mixtum calicem obtulit Dominus. Cyprian answers: Nunquid ergo Dominicum post cœnam celebrare debemus, ut sic mixtum calicem frequentandis Dominicis offeramus? Christum offerre oportebat circa vesperam diei, ut hora ipsa sacrificii ostenderet occasum et vesperam mundi.——Nos autem resurrectionem Domini mane celebramus.

[41] Bevereg. Not. in can. 74. Trull. Suicer. Thesaur. Eccles. t. 1. p. 27.

[42] Conc. Gangren. can. 11.

[43] Conc. Laodic. can. 28.

[44] Conc. Carth. 3. can. 30. Ut nulli episcopi vel clerici in ecclesia conviventur, nisi forte transeuntes hospitiorum necessitate illic reficiant: populi etiam ab hujusmodi conviviis, quantum fieri potest, prohibeantur.

fore we find by St. Austin's[45] answer to Faustus the Manichee, that they were still kept in the church: for whereas Faustus objected two things against them; 1. That they were but the spawn of the Gentile banquets, turned into Christian feasts; 2. That the catholics were used to make themselves drunk at them in the memorials of the martyrs; St. Austin rejects the first charge as a mere calumny, telling him, that the end of their *agape* was only to feed the poor with flesh, or the fruits of the earth: but the second charge he owns in part as true, that the people still held these feasts in the church, and that some excess was committed in them: But then, says he, there is a great deal of difference between tolerating and approving: we do not approve of drunkenness even in a private house, much less in a church: it is one thing which we are commanded to teach, and another what we are forced to tolerate and endure, till we can correct and amend it. St. Austin[46] says all kind of feasting in the church was prohibited by St. Ambrose at Milan with good success: and it was he himself that gave the advice to Aurelius, bishop of Carthage, to make the foresaid canon against it,[47] in hopes to extirpate it, after the example of St. Ambrose. In France it was prohibited by the second council of Orleans,[48] anno 541. Yet, for all this, there were some remains of it in the seventh century, when the council of Trullo[49] was obliged to re-enforce the canon of Laodicea against feasting in the church under pain of excommunication. So difficult a matter was it to extirpate the abuses of ancient custom, without destroying the custom itself, which was innocent in its original, and of so great service to the Christian church, whilst it continued free from abuses, that it was the envy and admiration of the heathen.

Sect. 10. How the Christians were at first abused and calumniated by some of the heathen, but admired and envied by others, upon account of these feasts of charity.

Some indeed were maliciously disposed to calumniate and traduce the Christians upon the account of this innocent custom, as guilty of I know not what black designs. Origen says,[50] Celsus charged them with holding clancular and seditious cabals upon the score of these *agapes*, or meetings to show kindness to one another. Which is also noted by Tertullian in that chapter of his Apology, where he gives[51] us that fine description of the Christian feasts in answer to this suggestion. Others charged these feasts with the practice of abominable uncleanness: in answer to which Minucius[52] tells them, their feasts were not only chaste, but sober; for they did not indulge either gluttony or drunkenness; but tempered their mirth with gravity, with chaste discourse, and chaster bodies. Others added that monstrous fable of their feeding upon human flesh, and feasting upon infants' blood. Which is mentioned and refuted by all the apologists, Athenagoras,[53] Theophilus,[54] Tertullian,[55] Minucius,[56] Origen,[57] Justin Martyr,[58] and many others, whom the reader may find at large, collected by the learned Kortholt[59] in his book De Calumniis Paganorum, &c. The reason of this charge is by many of the ancients ascribed to the vile practices of the Carpocratians,[60] and other heretics, at least tacitly or indirectly, whilst they accuse them of this crime which the heathens turned upon the Christians in general. And so it is said upon their authority by many modern[61] authors. Œcumenius ascribes it to another reason:[62] he says, In the persecution of the Christians at Lyons, under Antoninus, the heathens, having apprehended some servants of certain Christian catechumens, put them to the rack, to make them confess some secret of the Christians; and they, having heard their masters say that the holy communion was the body and blood of Christ, and supposing it to be truly flesh and blood, (αὐτοὶ νομίζοντες τῷ ὄντι αἷμα καὶ σάρκα εἶναι,) to gratify the inquisitors they told them what they had heard. And the heathens, understanding this as if the Christians had really (αὐτόχρημα) eat flesh and blood, put two of the martyrs, Sanctus and Blandina, to the rack, to make them confess it; to whom Blandina smartly replied, How should they endure to do this, who, for exercise' sake, abstain from such flesh as they might lawfully eat? If this were true, it would prove that the heathens grounded their calumny upon a false apprehension

[45] Aug. cont. Faust. lib. 20. cap. 20. Nec sacrificia eorum vertimus in agapes.——Agapes enim nostræ pauperes pascunt sive frugibus, sive carnibus, &c. It. cap. 21. Qui autem se in memoriis martyrum inebriant, quomodo a nobis approbari possunt, cum eos, etiamsi in domibus suis id faciant, sana doctrina condemnet? Sed aliud est quod docemus, aliud quod sustinemus: aliud quod præcipere jubemur, aliud quod emendare præcipimur, et donec emendemus, tolerare compellimur.

[46] Aug. Confess. lib. 6. cap. 2.

[47] Aug. Ep. 64. ad Aurelium.

[48] Conc. Aurel. 2. can. 12.

[49] Conc. Trull. can. 74.

[50] Orig. cont. Cels. lib. 1. p. 4. Βούλεται διαβαλεῖν τὴν καλουμένην ἀγάπην, κ.τ.λ.

[51] Tertul. Apol. c. 39.

[52] Minuc. p. 92. De incesto convivio fabulam grandem adversum nos dæmonum coitio mentita est.—At nos convivia non tantum pudica colimus, sed et sobria—casto sermone, corpore castiore.

[53] Athenag. Legat. p. 34.

[54] Theoph. ad Autolyc. lib. 3.

[55] Tertul. Apol. cap. 7 et 11.

[56] Minuc. Octav.

[57] Orig. cont. Cels. lib. 6.

[58] Just. Apol. 1 et 2. et Dial. cum Tryph.

[59] Kortholt. de Calumn. Pagan. cap. 18. p. 158, &c.

[60] Epiphan. Hær. 26. Gnostic. n. 5. Euseb. lib. 4. cap. 7. Aug. de Hæres. cap. 27.

[61] Dallæ. de Objecto Cult. Relig. lib. 2. cap. 28. Baron. an. 120. n. 22. et 179. n. 44.

[62] Œcumen. in 1 Pet. iii. 16.

they had of the Christian sacrament; but it would by no means prove what Perron and many of the Romanists would have, that the ground of the fable was the real belief of Christians, as if they believed the eucharist to be the real proper flesh and blood of Christ; for this is expressly said to be only a false apprehension of the heathens, and utterly denied by the Christians, according as Œcumenius relates the story. Which yet is something different from the genuine Acts in Eusebius,[63] for there is no mention made of the eucharist in the story, but it is only said, That when some of the Christian servants, who were heathens, were apprehended, they, fearing to be tormented, did, by the motion of Satan, and the instigation of the soldiers prompting them to it, falsely accuse the Christians, as if they were used to feast upon man's flesh, and commit incest, and other the like things, which it is not fit either to speak or think, and which we can hardly believe were ever done by any men whatsoever. So that the Christians' belief about the eucharist could not be the ground of this story, but it either sprung from the practices of the Carpocratians, or else (as the learned Kortholt,[64] not without some probable reasons, inclines to believe) it took its rise from the pure malice and fiction of the heathens themselves, some of whom never stuck at saying any thing that would render the Christians odious. However, though there were many who thus calumniated these Christian feasts by this variety of charges, yet there were some also who could discern the good effects of them, and the great influence they had not only on their own members, but the very heathen, who sometimes would cry out and say, See how these Christians love one another, as Tertullian[65] notes, in speaking of their collations and charity. Nay, Julian himself, though the bitterest enemy the Christians ever had, could not help bearing testimony to the usefulness of this practice, which he looked upon with an envious eye, as that which he imagined chiefly to uphold the Christian religion, and undermine the religion of the Gentiles. For thus, in one of his letters to his Gentile priest, he provokes them to the exercise of charity by the example of the Christians and their feasts of charity: There is the more reason to be careful in this matter, says he,[66] because it is manifestly the neglect of this humanity in the priests, which has given occasion to the impious Galileans (so he commonly styles the Christians) to strengthen their party by the practice of that humanity, which the others have neglected. For as kidnappers steal away children, whom they first allure with a cake; so these begin first to work upon honest-hearted Gentiles, with their love-feasts, and entertainments, and ministering of tables, as they call them, till at last they pervert them to atheism and impiety against the gods. This is a full vindication of them from all those aspersions which the former heathens had cast upon them, and an ample testimony of their usefulness from the mouth of an adversary, who saw and envied the progress which Christianity made in the world by means of these feasts of charity, which he was minded to introduce into his own way of heathen worship, with many other such rites, in imitation of the Christian institution. Happy had it been for the Christian religion, if Christians had never had occasion to object more against their own feasts of charity, than Julian, their bitterest enemy, could find to object against them! They might then have gone on with innocence and glory, and have continued a useful and laudable rite to this day.

CHAPTER VIII.

WHAT PREPARATION THE ANCIENTS REQUIRED AS NECESSARY IN COMMUNICANTS, TO QUALIFY THEM FOR A WORTHY RECEPTION.

Sect. 1. A general answer to this question, by referring to the professions made by every Christian in baptism, of repentance, faith, and holy obedience.

I cannot better answer this question in general terms, than by saying, the preparation which they required as necessary in every Christian, was the performance of the conditions and obligations which every man laid upon himself in baptism; the observation of which put a man in a Christian state and the favour of God; and was a continual preparation for death and judgment; and, consequently, a continual and habitual preparation for approaches to God in prayer and holy mysteries, (between which, as to what concerns preparation, the ancients made little or no distinction,) since it was a preparation that qualified a man for a constant daily or weekly communion, which was proper for those who were to receive the communion in a manner every day, according to the rules and practice of those primitive ages, as we shall see in the next chapter. Now, the obligation which every man laid upon himself in baptism, as we have showed in a former Book, was the profession and actual performance of these three things: 1. Repentance, or a renunciation of all former sin, together with the author of it, the devil. 2. Faith, or belief of the several articles of the Christian institution or mystery of godliness. 3. A holy and constant obedience paid to the laws of this holy religion. In the performance of which, sincerely and

[63] Euseb. lib. 5. cap. 1. p. 156.
[64] Kortholt, ubi supra, p. 163.
[65] Tertul. Apol. cap. 39.
[66] Julian, Fragment. Epist. p. 555.

without dissimulation, every man was supposed to be truly qualified for baptism: and what qualified him for baptism, also qualified him for the communion; of which there is this certain evidence, that as soon as any man was baptized, he was immediately communicated: which could not regularly have been done, but upon presumption, that he that was duly qualified for baptism, was qualified for the communion also. So that he that continued in the strict observance of all the particulars of his baptismal covenant, was presumed to be in a constant habitual preparation for the communion every day: and this was that happy state of a Christian life, which qualified those primitive saints for such frequent reception; when frequency of communion kept up a flaming piety and universal holiness in their souls, and such a state of continual holiness made them always fit for and desirous of frequent communion. For these mutually acted in a holy combination, and reciprocally assisted each other: an habitual holiness was a constant preparation for the communion; and frequent communion was one of the best helps to keep them in a continual preparation for it. And to men of this character and behaviour there could be no great labour needful, besides the constant tenor of a pious life; nor any long time necessary to prepare for the Lord's table, when the whole business of their lives was but as it were one continued act of preparation for it. They lived as men that always expected death, yet uncertain of the time, and therefore were in a continual preparation for it, which is the best preparation for the communion. Their loins were girded about, and their lamps burning; and they themselves like unto men that waited for their Lord, that when he came and knocked, they might open to him immediately. And to them belonged the blessing of Christ, Luke xii. 37, "Blessed are those servants, whom the Lord when he cometh shall find watching:" it was true of them, if ever of any, that Christ came and found them watching: and he girded himself, and made them sit down to meat in the spiritual feast, and came forth and served them.

Sect. 2. What failings are consistent with this profession, and a state of grace, and a continual preparation for the communion.

But it may be said, there is no such thing possible as constant preparation for the communion; for no man lives without sin to be repented of. "In many things we offend all:" and, "If we say that we have no sin, we deceive ourselves, and the truth is not in us." But, notwithstanding this supposed difficulty, the fathers assure us there were anciently many that were in a continual preparation for the communion, and did actually communicate every day. For those sins, which unqualify men absolutely for the communion, are not those lesser sins of human frailty and infirmity, which are called sins of daily incursion, without which no man lives; but habitual and reigning sins, which men indulge, or such single acts of greater sins, as are answerable to habits of sin, and require a more severe repentance; such as adultery, murder, and the like, which wound the conscience to a high degree, and are not ordinarily cured in an instant, but by a longer course of discipline, exacting both greater severities in repentance, and a longer time of probation. But those sins of human frailty, which the best of men daily commit in some degree or other, are not of this nature, but are such as are consistent with the profession of a good Christian, and a state of grace, and a continual preparation for the communion; and they do not exclude men from God's favour, so long as men labour and strive against them, and mourn for them, as for infirmities, in a general and daily repentance, upon which God is willing to pardon them. If it were not so, there could be no such thing as preparation for the communion at all: and it would not only destroy frequent and daily communion, but communion in general; since no man lives without such infirmities; and if he were not to communicate till he had perfectly cured them, he must for ever abstain from communicating, and never come at the Lord's table: which were at once to destroy the very ordinance itself, by making the qualification for it impracticable, and rendering it impossible for any man to be perfectly and truly prepared for it. And it is to be feared that some in these later ages, by overstraining the point, have done this great disservice to religion, by obliging men to such a preparation for the communion as is impracticable in itself, and frighting tender consciences from the holy ordinance under pretence of greater reverence to it. By which means it has sometimes happened, that they who perhaps have been the best prepared to receive it, have by needless scruples or terrors been kept at the greatest distance from it. But the ancients were extremely cautious of this delusion, and carefully taught men to distinguish between such sins as lay waste the conscience, and destroy a state of grace, and unqualify men for the communion; and such sins of infirmity and human frailty, as are consistent with a state of grace, and do not unqualify men for constant communion; being such as are done away by a general repentance and daily prayer for pardon and forgiveness. This doctrine and distinction of sins is often inculcated by St. Austin and others. It will be sufficient to hear their sense in St. Austin's words upon[1] the article

[1] Aug. de Symbolo, lib. 1. cap. 7. Cum baptizati fueritis, tenete vitam bonam in præceptis Dei: ut baptismum custodiatis usque in finem. Non vobis dico, quia sine peccato hic vivetis: sed sunt venialia, sine quibus vita ista non est. Propter omnia peccata baptismus inventus est: propter levia, sine quibus esse non possumus, oratio inventa, &c.

of remission of sins in the creed; where, speaking to the catechumens, he tells them, when they had received baptism, they should be careful to preserve a good life in the commands of God, that they might keep their baptism to the end. I do not say, that ye should live here without sin: but there are some venial sins, without which we cannot live in this life. Baptism is appointed for all sins, great and small; but for lesser sins, without which we cannot live, prayer is appointed. What says the prayer? "Forgive us our trespasses, as we forgive them that trespass against us." We are once cleansed by baptism, we are every day cleansed by prayer. But do not commit those things, for which it will be necessary for you to be separated from the body of Christ; which God forbid. For those whom ye see doing penance, have committed great crimes, either adultery, or some other grievous sins, for which they do penance. For if their transgressions had been light, the daily prayer had been sufficient to blot them out. By this we may judge, that sins of infirmity, to which all men are liable, and which were pardoned by their daily prayers, were reckoned no formal breaches of the baptismal covenant, nor consequently any just impediments to debar any man from receiving the communion every day; (since none, except the Pelagians, thought it possible for men to live in such angelical perfection, as to be above all manner of failings in this mortal state of human frailty;) and therefore they did not require of men, in order to communicate, such a perfection as human nature was not capable of attaining.

Sect. 3. What repentance required for such failings.

Yet forasmuch as lesser sins, even of infirmity, are transgressions of the law, and the remainders of corruption in our nature, and in strictness deserve punishment, if God should be extreme to enter into judgment with us for them; nay, and if they be indulged and neglected, may commence greater and deadly sins of wilfulness and contempt; therefore upon this account they advised, that men should not only ask pardon daily for them, and confess them with humiliation, and deplore them with sorrow, but also strive and labour against them with care, and diligence, and a perpetual watchfulness, and pray against them, and yield no consent to them, but have their wills continually bent against them, and hunger and thirst after the perfection of righteousness, and desire to be filled therewith when they came to the Lord's table. For, as Gregory the Great expresses it,[2] none are filled but those that hunger; who fast perfectly from sin, and receive the holy sacrament with a plenitude of virtue. Therefore, seeing the best of men cannot be wholly without sin, what remains, but that they should endeavour daily to evacuate and purge themselves from those sins, with which human frailty never ceases to defile them? For he that does not daily draw off the dregs of sin, though they be but little sins which he amasses together, they will, by degrees, fill his soul, and deprive him of the benefit of internal satisfaction. In like manner Gennadius[3] persuades those who are guilty of no gross sins, but only of these lesser sins of infirmity, to communicate every Lord's day, or oftener if they please, only with this caution, that their mind be free from all affection and love to such sins. For he that still retains a willingness to commit them, will find himself more oppressed than purified by receiving the eucharist. And therefore let such a one, when he is smitten or bitten in mind for his sin, cherish no will or inclination to his sin for the future; and before he communicates, let him satisfy with prayers and tears; and so confiding in the mercy of the Lord, who uses to pardon sins upon a pious confession, let him come to the eucharist in security and without doubting. But this I speak only of him who is not pressed with capital and deadly sins.

Sect. 4. What crimes unqualified men absolutely for the communion, and what sort of repentance was required for them.

But, says he, if any man is pressed with the commission of mortal sins after baptism, I advise such a one to make satisfaction or amends by public repentance, and to be reconciled to communion by the judgment of the bishop or priest, if he would not receive the eucharist to his own judgment and condemnation. This he speaks of such heinous offences as were direct violations of the baptismal covenant, upon the account of which men were then by the usual discipline of the church debarred from the communion and prayers, till they had for a long time gone through the several stages of public penance, and given such evident testimonies of their abhorrence of sin, and sincere

Vid. Aug. Enchirid. ad Laurent. cap. 71. et Serm. 119. de Tempore. Ep. 108. ad Seleucianum. Hom. 27. ex 50. cap. 2. Hom. 12. in Joan. p. 47. Hom. 3. in Psal. cxviii. Hom. 26. in Joan. p. 93. But especially his book de Fide et Operibus, cap. 26. where he distinguishes three sorts of sins. 1. Such great sins for which men did public penance. 2. Such great sins as deserved to be corrected and punished with severe reproof, though they did not bring men under public penance; such as anger, and evil-speaking. 3. Sins of human frailty and daily incursion, for which the daily prayer was the daily medicine. This triple distinction of sins is the most exact of any other.

[2] Greg. lib. 2. in Reg. cap. 1. t. 1. p. 189. Non saturantur ergo nisi famelici: qui a vitiis perfecte jujunantes Divina sacramenta percipiunt in plenitudine virtutis. Et quia sine peccato electi etiam viri esse non possunt, quid restat, nisi ut a peccatis quibus eos humana fragilitas maculare non desinit, evacuare quotidie conentur? &c. Vid. Aug. Tract. 1. in 1 Joan.

[3] Gennad. de Eccles. Dogm. cap. 53. Quotidie eucharistiæ communionem nec laudo nec reprehendo. Omnibus tamen Dominicis diebus communicandum suadeo et hortor, si tamen mens sine affectu peccandi sit.——Sed hoc de illo dico quem capitalia et mortalia peccata non gravant, &c.

conversion, as were requisite and proper to satisfy the church that they were real and hearty penitents. In which state of probation they were held a year, or two, or three, or five, or ten, or twenty, according to the nature and quality of their offence; and sometimes all their lives, if their crime was extremely great and scandalous, when they were allowed communion only at the hour of death. And during this course of discipline, they were obliged constantly to attend the church, to hear the Scriptures read, and the sermon preached for their instruction; and to exercise themselves in prayers, and confession, and tears, and watchings, and fastings, and almsdeeds, and good works, and whatever was proper to demonstrate that they were acting a sincere part, and not playing the hypocrite, in the business of repentance. Then, according to their zeal and earnestness in such employments, a judgment was made upon their sincerity; and the time of their penance was lengthened or shortened according to the measures of their activity; and when they were deemed perfectly to have amended their lives and become new men, answerable to the tenor of their first covenant, then they were reconciled, and absolved, and admitted again to the privilege of the communion. This was the standing rule of the church with respect to those who had committed gross and scandalous crimes, for which they were cut off from the body as putrified members, and kept at a distance from the prayers of the church, and the communion of the faithful at the Lord's table.

Sect. 5. Scandalous and notorious sinners not to be admitted to communicate without giving satisfactory evidences of their repentance.

I need not stand here to enumerate all the particular crimes, that were deemed breaches of the baptismal covenant, and unqualified men for the communion. Some account has been given already of them,[4] in showing what persons might or might not make their oblations at the altar; for they who might not offer, might much less communicate; and this matter will come to be considered more exactly in the next volume, when we treat of the discipline of the church. Here I shall only observe in general, that the rules of the church laid an obligation upon all ministers of the altar, to refuse the communion to all such notorious offenders, as were declared uncapable and unworthy of it by the standing laws of communion then well known to all in the church: and that an over-hasty admittance of such criminals, without sufficient time of probation and satisfactory evidence of their sincere conversion, was always reckoned a great transgression and failure in the exercise of the ministerial function. It will be sufficient at present to give two or three plain evidences of this out of Chrysostom and some others. Let no cruel person, says Chrysostom,[5] no unmerciful, no impure soul, come near this table. I speak this as well to you that receive the eucharist, as to you that minister. For it is necessary to say this to you that minister, that ye may distribute the gifts with great care. There is no small punishment hangs over your head, if ye give the eucharist knowingly to any flagitious man. His blood shall be required at your hands. Though it be a general, though it be a consul, though it be him that wears the crown, if he comes unworthily, restrain him: thou hast greater power than he. But you will say, How shall I know what such or such a one is? I speak not of those that are unknown, but of those that are known. I will say a fearful word: it is not so bad to admit energumens, or persons possessed with a devil, to this holy place, as those men who, as St. Paul says, "tread Christ under foot, and count the blood of the covenant an unholy thing, and do despite to the Spirit of grace." Let us not therefore cast out demoniacs only, but all such as come unworthily to be partakers of this table. It is a remarkable saying of St. Ambrose[6] upon this occasion: Some men desire to be admitted to penance only for this reason, that they may presently receive the communion again: these men do not so much desire to be absolved themselves, as to bind the priest; for they do not put off their own evil conscience. Such a rash act in a priest, in receiving a notorious criminal without any clear evidences and fruits of repentance, puts him in the sinner's condition, and makes him a criminal before God for the abuse of the authority committed to him. Therefore, as the Novatians were generally condemned for being too rigorous in denying the communion for ever to all such as fell into great sins after baptism; so, on the other hand, the Audian heretics are censured[7] for being too hasty, in assuming authority to pardon sins by their own power, and granting remission upon a bare confession, without prescribing a time for repentance, as the laws of the church always required. Cyprian gives as severe a reproof to such of the clergy, as were over-hasty in admitting those that had lapsed into idolatry in time of persecution, before they had gone through a due course of penance, and had taken time to bewail and confess their sin, and give sufficient evidences of their repentance. Whenas, says he,[8] sinners for much lesser crimes take a just time to do penance, and according to the order of

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[4] Book XV. chap. 2. sect. 2.

[5] Chrys. Hom. 83. in Matt. p. 705. Vid. Chrys. in Psal. xlix. p. 303.

[6] Ambros. de Pœnit. lib. 2. cap. 9. Nonnulli ideo poscunt pœnitentiam, ut statim sibi reddi communionem velint. Hi non tam se solvere cupiunt, quam sacerdotem ligare, &c.

[7] Theodor. de Fabulis Hæret. lib. 4. cap. 13.

[8] Cypr. Ep. 10. al. 16. ad Cler. p. 37. Cum in minoribus peccatis agant peccatores pœnitentiam justo tempore, et secundum disciplinæ ordinem ad exomologesin veniant, et

discipline come to confession, and by imposition of hands given them by the bishop and clergy receive a right to communicate: now they are very hastily and unseasonably admitted to communion, and their name is offered; and before they have done penance, before they have made their confession, before they have received imposition of hands, the eucharist is given them, although it be said, that "Whosoever eats the bread and drinks the cup of the Lord unworthily, is guilty of the body and blood of the Lord." The martyrs, who lay in prison, were a little concerned in this irregularity: for they were used to intercede for such criminals, to gain them admission before their time: and therefore he wrote another[9] letter to the martyrs, to show them the danger and inconveniences of such precipitated communicating of sinners, and to dissuade them from such unseasonable interposing in their behalf before they had done their regular penance. And he also wrote a long discourse to the lapsers[10] themselves, wherein he more largely sets forth the fallacy that was put upon them by this too indulgent facility in granting them such a preposterous peace, which did not really give them peace, but destroy it; nor grant them true communion, but hinder their salvation. By all which, and abundance more that might be added upon this head, it is evident that to reconcile a sinner to the altar, after the commission of any heinous and public crimes, they required him to go through a long course of penance publicly in the church, in order to give clear satisfaction and demonstration by manifest works and fruits of repentance, that he was a real convert, and worthy of the communion which he desired: and to admit him before, was only to impose upon the sinner, and incur the displeasure of God, by prostituting his ordinance, and suffering the vile to tread under foot the Son of God.

But beside these heinous sins, which put men under the public censures of the church, there were also many other crimes of a heinous nature, which unqualified men for worthy receiving, though they did not ordinarily bring them to a state of public penance, either because men could not be so directly and formally convicted of them, or because they did not seem to carry so great malignity and contempt of God in them as the former. Among these St. Austin[11] reckons anger and evil-speaking; and others add, rash swearing, breach of promise, lying, covetousness, drunkenness, and sins of the like nature. Now, though these did not ordinarily subject men to public penance, yet they were confessed on all hands to be grievous and deadly sins, and such as men should not presume to come with, unrepented of, to the Lord's table. And therefore, though the ancients did not forcibly repel such sinners from communicating, yet they never failed to stave them off by admonitions and reproofs, declaiming sharply against all such vices, and showing men the danger of them as well as those of the highest nature.

Sect. 6. Whether they required confession of private sins to the priest as a necessary qualification for the communion.

This was their constant way of proceeding with great and heinous sinners, when their crimes were public, notorious, and scandalous, in order to qualify them for a worthy participation of the eucharist after any manifest breach or violation of their baptismal covenant. As to private crimes, they laid no necessity upon the conscience of men to make either public or private confession of them to any beside God, to qualify them for the communion. They sometimes advised men to public confession for private crimes, and many times men voluntarily confessed their private crimes, and submitted to do public penance for them, as thinking this the securest way to obtain perfect forgiveness of God: and in some places a public minister, called the penitentiary, was appointed to hear men's confessions, and direct them in their public or private repentance. But as yet no indispensable obligation was laid upon men to make confession of their private crimes as a necessary condition of communion; much less did they enjoin men auricular confession in order to obtain private absolution of a priest, and do penance afterward, without giving at present any evident demonstrations of repentance. Their private confessions were all voluntary, and these chiefly in order to public penance: but whether for public or private penance, the confession of private sins was a matter of advice, and prudence, and free choice, and not forced upon men by any laws of necessity or indispensable obligation. I shall have further occasion to handle this matter more fully in the next Book, about the discipline of the church; and therefore I will only mention a passage or two here, that relate to men's preparation for the communion. Chrysostom, explaining those words of the apostle, "Let a man examine himself, and so let him eat of that bread, and drink of that cup," says, He does not[12] bid one man examine another, but every one himself; making the judgment private, and the trial without witnesses. And again,[13] expounding the very same words, The apostle, says he, does not reveal or lay open the sore, he does not bring the accusation upon the open stage, he does not set

per manus impositionem episcopi et cleri jus communicationis accipiant: nunc crudo tempore—ad communicationem admittuntur, et offertur nomen eorum, et nondum pœnitentia acta, nondum exomologesi facta, nondum manu eis ab episcopo et clero imposita, eucharistia illis datur, &c.

[9] Cypr. Ep. 11. al. 15. ad Martyr. p. 34.
[10] Id. de Lapsis, p. 128, &c.
[11] Aug. de Fide et Operibus, cap. 26.
[12] Chrys. Hom. 28. in 1 Cor. p. 569.
[13] Ibid. Hom. 8. de Pœnitent. t. 1. p. 700.

witnesses of thy crimes against thee; but bids thee, within thy own conscience, none being present but God who knows all things, to set up a judgment and search after thy sins; and recounting thy whole life, to bring thy sins to the bar of thy own mind; to reform thy excesses, and so with a pure conscience to come to the sacred table, and partake of the holy sacrifice. And it is remarkable, that under Nectarius, St. Chrysostom's predecessor, a law was made, (upon occasion of a scandal that was given by the confession of a gentlewoman, defiled by a deacon at Constantinople,) that the office of the penitentiary priest, which had been for some time in that church, should be laid aside; and that liberty should be given to every one, upon the private examination of his own conscience, to partake of the holy mysteries. Which evidently shows, that they did not then believe there was any Divine law for the necessity of auricular confession, but that it was a matter of liberty and prudence only. Socrates, who relates[14] the whole story, says, he had it from the mouth of Eudæmon the presbyter, who gave Nectarius this advice; and Sozomen[15] adds, that the bishops of most other churches followed Nectarius's example. In the Latin church, it appears also from Gennadius,[16] that the general rule for great crimes of a public nature was, to do public penance in the church: but for private crimes no other was necessarily required but private satisfaction, by a change of life from secular to religious, by continual mourning to implore God's mercy, by doing things contrary to those whereof the sinner repents, and by receiving the eucharist every Lord's day to the end of his life. And Laurentius, bishop of Novaria,[17] speaking of repentance, says, After baptism God hath appointed thee a remedy within thyself, he hath put remission in thy own power, that thou needest not to seek a priest when necessity requires; but thou thyself now, as a skilful master always at hand, mayest correct thy own error within thyself, and wash away thy sin by repentance. It were easy to add abundance more testimonies both out of the Greek and Latin writers, but these are sufficient at present to show that they did not require private confession, as any necessary part of that preparation which men were obliged to make for the purging of private sins before they came to the Lord's table; but their direction was the apostle's rule, "Let a man examine himself, and so let him eat of that bread and drink of that cup."

Sect. 7. That preparation consists not in coming to communion at certain holy seasons, but in sanctity and purity at all times.

Yet they did not hereby discharge men of all obligation to cleanse themselves from sin, but carefully pressed upon the conscience the necessity of universal purity when they came to feast upon the body and blood of Christ, at his table. "Let a man examine himself: for he that eateth and drinketh unworthily, is guilty of the body and blood of the Lord, and eateth and drinketh damnation to himself, not discerning the Lord's body." There were some so vain as to think, that a formal appearing at the Lord's table at some certain holy and solemn seasons, was all the preparation that was needful; as if the circumstance of time added any real qualification to their souls. Against these men's extravagance, St. Chrysostom inveighs with the greatest sharpness: I observe many, says he, who are partakers[18] of the Lord's body inconsiderately and at all adventures, more out of custom, than by any rule, or reason, and understanding. If the holy time of Lent comes, or the day of Christ's epiphany, or nativity, then they partake of the holy mysteries, whatever condition they are in. But Epiphany is not the time of approaching; neither does Lent make men worthy to come; but the sincerity and purity of their souls. With this come at all times; without it come never. Consider those who were partakers of the sacrifices under the old law: what abstinence did they use! What did they not do! What did they not perform, to purify themselves in every respect! And dost thou, when thou comest to the sacrifice, at which the angels are even amazed and tremble, measure the business by the revolution and periods of certain times and seasons? How wilt thou stand before the tribunal of Christ, who darest to touch his body with polluted hands and lips? Thou wouldst not presume to kiss the king with a stinking mouth: and dost thou kiss the King of heaven with a stinking soul? That is the highest affront that can really be offered to him. Tell me, wouldst thou choose to come to the sacrifice with unwashen hands? I suppose not, but wouldst rather not come at all, than with unclean hands. Since therefore thou art so scrupulous and religious in a small matter, how darest thou to come and touch the sacrifice with a polluted soul? whenas thy hands only hold it for a time, but thy soul has it wholly dissolved into it. At other times ye come not to it, though ye be clean; but at Easter ye come, although ye be defiled with sin. Oh custom! Oh prejudice! Thus St. Chrysostom reproves

[14] Socrat. lib. 5. cap. 19.

[15] Sozom. lib. 7. cap. 16.

[16] Gennad. de Dogmat. Eccles. cap. 53. Sed et secreta satisfactione solvi mortalia crimina non negamus, sed mutato prius seculari habitu, et confesso religionis studio per vitæ correctionem, et jugi, imo perpetuo luctu miserante Deo, ita duntaxat, ut contraria pro iis quæ pœnitet agat, et eucharistiam omnibus Dominicis diebus supplex submissusque usque ad mortem suscipiat.

[17] Laurent. Hom. 1. de Pœnit. Bibl. Patr. t. 2. p. 129. Post baptisma remedium tuum in teipso statuit, remissionem in arbitrio tuo posuit, ut non quæras sacerdotem, cum necessitas flagitaverit: sed ipse jam, ac si scitus perspicuusque magister, errorem tuum intra te emendes, et peccatum tuum pœnitudine abluas.

[18] Chrys. Hom. 3. in Ephes. p. 1050.

those who contented themselves with an outside, formal preparation, to comply with the general custom of receiving at some of the holy festivals; which was a mere corporeal purification, like the Pharisaical righteousness; for "they made clean the outside of the cup and platter, whilst their inward part was full of corruption and all uncleanness." In another place[19] he thus opposes this fantastical preparation, and describes the true preparation of the soul by the purity of a man's conscience, and a sanctified life. Many Christians now-a-days, says he, are sunk into so great stupidity and contempt, that though they be laden with sins, and take no manner of care of themselves, yet they come to the holy table at the solemn festivals hand over head, and just as mere chance directs them; not considering, that what makes it seasonable to communicate, is not merely a festival, or the time of a more solemn assembly, but a pure conscience, and a life free from sin. For as he who is conscious to himself of no enormous crime, ought to come every day; so, on the other hand, he who is fettered in sins, and does not repent, cannot safely come upon a festival. For it is not our coming once a year that discharges us of our sins, if we come unworthily; but this very thing rather increases our condemnation, that though we come but once a year, yet we come not even then with a pure conscience. Wherefore I exhort you all, not to come to the holy mysteries barely upon the account of a festival, but whenever ye design to partake of this holy sacrifice, to purge yourselves many days before by repentance, and prayer, and alms, and attendance upon spiritual things; and not to return again like the dog to his vomit. Is it not absurd to spend so much care upon corporeal things, as that when a festival approaches, you will bring forth your best clothes out of your wardrobe, and make them ready many days before, and buy you shoes, and prepare a more splendid table, and think of many ways to deck and adorn yourself, but in the mean time have no regard to your soul, which lies neglected in filth and nastiness, and ready to perish with famine, and overrun with impurity? How absurd is it to present the body here finely adorned, but your soul naked and vilely clothed! When yet none sees your body but your fellow servants, but your soul is nicely viewed by the Lord, who will also severely punish your neglect of it. Know you not, that this table is filled with spiritual fire, and sends forth secret flames, as fountains do their water in abundance? Bring not therefore hither wood, hay, stubble, lest you increase the flame, and burn your soul by such a participation; but bring hither gold, silver, precious stones, that ye may make those materials still more pure, and go hence with greater gain and advantage. If any evil remains in your soul, chase and drive it thence. Has any one an enemy, from whom he has suffered great injuries and injustice? Let him dissolve his enmity, and restrain his flaming, swelling mind, that there be no tumult or perturbation within. For thou art now about to receive a King by communion; and when a King enters into thy soul there ought to be a perfect calm, tranquillity, and silence, and a profound peace in thy thoughts. But thou hast been exceedingly injured, and canst not bear to moderate thy anger against him. What then? Wilt thou therefore more grievously injure thyself? For thy enemy, whatever he does, cannot do thee so much harm as thou dost to thyself, if thou art not reconciled to him, but tramplest on the laws of God. He has injured and affronted thee, and wilt thou injure and affront God? For not to receive an enemy to pardon and favour, is not so much to take revenge on him, as to affront God, who has given us this law of reconciliation. Therefore look not to thy fellow servant, nor to the greatness of the injuries that he hath done thee; but look unto God, and putting his fear into thy mind, consider this, that the greater violence thou offerest to thy soul, by compelling it to be reconciled after suffering a thousand indignities, so much the greater honour shalt thou obtain from him who prohibits thee revenge. And as thou receivest God with great honour here, he will receive thee with great glory hereafter, and recompense thee a thousandfold for this obedience. Thus did this holy man explain in general the due manner and method of preparing to receive the eucharist, and with the strongest arguments of piety, and the utmost force of eloquence and reason, endeavour to persuade his hearers to the practice of it.

Sect. 8. What faith is required in communicants.

I have not room to transcribe all that this author[20] and the rest have said further in their general exhortations to make a due preparation for the communion: much less will it consist with the design of this work, to descend to all the particular cases and questions that might be moved about it, the handling of which would easily swell into a volume; and the reader may find it already done, in a great measure, by our learned Bishop Taylor, in his Worthy Communicant, where he states all the duties required in order to a worthy participation, together with the cases of conscience occurring in the duty of him that ministers, and in the duty of him that communicates, out of the ancient writers. I shall content myself to suggest a few things relating to these particulars, which are: 1. Faith. 2. Repentance and obedience. 3. Justice. 4. Peace and unity. 5. Charity and beneficence. 6. Pardoning of offences.

[19] Chrys. Hom. 31. de Philogono, t. 1. p. 402. Vid. Hom. 52. in eos qui Pascha jejunant, t. 1. p. 710.

[20] Vid. Chrys. in Psal. cxxxiii. p. 488. Hom. 27. in 1 Cor. p. 536. Hom. 17. ad Hebr. p. 1872.

7. Lastly, men's behaviour at the time of communicating, and afterwards, which I shall chiefly represent in the words of St. Chrysostom, who has spoken so largely upon this subject. And, 1. With respect to faith, they required in every communicant, that was of years of discretion, not only an orthodox profession of the several articles of the Christian faith in general, but also a particular faith with relation to the mystical eating and drinking of Christ's body and blood in the holy sacrament. The former is evident from that usual form of words in the deacon's admonition to all that had not a right to communicate, to withdraw; among whom all heterodox or heretical persons were admonished to be gone: Μή τις τῶν ἑτεροδόξων, Let no heterodox person be present. And, in regard to this, St. Chrysostom,[21] or whoever was the author of the sermon of Binding and Loosing Sin, speaking of men's private examination of themselves, says, God hath given thee the power of binding and loosing. Thou hast bound thyself with the chain of covetousness; loose thyself with the injunction of the love of poverty. Thou hast bound thyself with the furious desire of pleasure; loose thyself by temperance. Thou hast bound thyself with the heterodox belief of Eunomius; loose thyself with the religious embracing of the orthodox faith. But they did not only require an orthodox faith in general, but a particular faith with respect to the sacrament itself, teaching men, not the monstrous doctrine of transubstantiation, but that under the visible elements of bread and wine, sanctified by the Spirit, the worthy communicant by faith might receive the spiritual food of Christ's body and blood, and all the blessed effects and benefits of his death and passion. To this purpose, they required men to come with the mouth of faith, spiritually to eat Christ's flesh and blood; and to see him sacrificed with the eyes of their mind, whilst his real bloody sacrifice once offered was daily represented and commemorated in the visible images and symbols of bread and wine. St. Austin is very copious in setting forth this necessary doctrine of spiritual manducation by faith, as that which makes both sense and piety of so many expressions in the Gospel, which otherwise would seem horrible and absurd. Explaining those words of our Saviour, "Except ye eat the flesh of the Son of man, and drink his blood, ye have no life in you," he says,[22] This seems to command a crime. Therefore it is a figurative speech, commanding us to communicate in the passion of our Lord, and with pleasure and profit to lay it up in our minds, that his flesh was crucified and wounded for our transgressions. So again,[23] he brings in our Saviour telling his disciples, "Ye are not to eat this body which ye see, and drink that blood which my crucifiers shall shed. But I have commended to you a certain sacrament, which, being spiritually understood, will quicken you; and though it be celebrated visibly, it is invisibly or spiritually to be understood." Meaning this faith, with which the body of Christ was to be received, to make it spiritually and really the true body, and life to the receiver. For the true body of Christ could no other ways be eaten but spiritually by faith,[24] whilst it was really absent in heaven. The hand could not reach that body, nor the teeth consume it; but faith[25] could ascend up to heaven, and there touch the body of Christ; and with the heart it might be eaten, though not with the teeth and oral manducation. This is, therefore, that special faith which the ancients so often require in every pious communicant, to qualify him to eat the flesh of Christ to life and salvation; a faith whereby in heart he ascends to heaven; (according to the usual phrase of the church in her sacramental prayers, *Sursum corda,* "Lift up your hearts; We lift them up unto the Lord;") and whereby he receives the real body of Christ by spiritual eating, which no wicked man can receive, though he receive the sacrament of his body both in his hand and mouth to his condemnation. Therefore St. Austin bids all communicants prepare[26] their heart, and not their mouths, to eat "the bread of life, which came down from heaven." And St. Chrysostom[27] calls upon them to imitate eagles, and fly up to heaven. For "where the carcase is, there will the eagles be gathered together," says our Saviour, calling his body the carcase because of death. For if he had not fallen, we had not risen. But he calls us eagles, showing, that he that comes to this body, ought to soar aloft, and have nothing to do with the earth, nor move downward and creep upon the

[21] Chrys. Hom. in illud Quodcunque ligaveris, t. 7. Edit. Savil. p. 268.

[22] Aug. de Doctrina Christ. lib. 3. cap. 16. Facinus vel flagitium videtur jubere. Figura ergo est, præcipiens passioni Domini esse communicandum, et suaviter atque utiliter in memoria recondendum, quod caro ejus pro nobis crucifixa et vulnerata est.

[23] Aug. in Psal. xcviii. t. 8. p. 452. Non hoc corpus quod videtis, manducaturi estis; et bibituri illum sanguinem, quem fusuri sunt qui me crucifigent. Sacramentum aliquod vobis commendavi; spiritaliter intellectum vivificabit vos, et si necesse est illud visibiliter celebrari, oportet tamen invisibiliter intelligi.

[24] Aug. Ser. 2. de Verb. Apost. t. 10. p. 94. Manduca vitam, bibe vitam. Tunc autem hoc erit, id est, vita unicuique erit corpus et sanguis, si quod in sacramento visibiliter sumitur, in ipsa veritate spiritaliter manducetur, spiritaliter bibatur. It. Tract. 26. in Joan. t. 9. p. 94. Qui manducat intus, non qui manducat foris; qui manducat in corde, non qui premit dente.

[25] Aug. Tract. 1. in 1 Joan. p. 236. Ipsum jam in cœlo sedentem manu contrectare non possumus, sed fide contingere.

[26] Aug. Ser. 33. de Verb. Dom. p. 40. Nolite parare fauces, sed cor, &c.

[27] Chrys. Hom. 24. in 1 Cor. p. 536. Vid. Hom. 14 in Ephes. p. 1127.

ground, but always to fly upward, and look to the "Sun of righteousness," and have the eyes of his mind quick-sighted. For this table is the table of eagles, not of jackdaws. And they who thus worthily receive him, may expect to meet him when he shall come down again from heaven.

Sect. 9. What purity of soul by repentance and obedience. How far fasting useful or necessary to this purpose.

2. But St. Chrysostom[28] observes, that to come unto Christ by faith, is not barely to receive him in the outward element, but to touch him with a pure heart. And therefore he discourses excellently upon this most necessary part of preparation, to some who put great confidence in their observation of the Lent fast, as if that were a just preparation for the communion. Let us give up ourselves, says he, to the practice of virtue. For at this end[29] aims all our fasting, and Lent, and religious assemblies so many days together, and our hearing, and prayers, and preaching; that by these exercises we may wash away the guilt and stain of whatever sins we have any ways contracted during the whole year, and so come with piety and spiritual assurance to partake of that unbloody sacrifice. But if we do not thus purify ourselves, all that other labour is in vain and to no purpose, we reap not the least advantage from it. Let every one therefore consider with himself, and examine in his account, what defect he has amended, what virtue he has acquired, what vice he has washed away, in what part he is grown better: and if he finds any considerable advantage of this kind arise from his fasting, and that many of his wounds have been cured by it, let him come: but if he has been negligent, and has nothing to show but his fasting, without any other goodness or amendment, let him keep off and abide without, and then come when he has purged himself from all his sins. Let no man place his confidence in fasting only, who adheres to his sins without amendment. For it is possible a man that does not fast may obtain pardon, having the excuse of bodily infirmity; but he that does not correct his faults, cannot possibly have any excuse. Thou hast omitted to fast by reason of the infirmity of thy flesh: but why hast thou not been reconciled to thy enemies? Canst thou here pretend bodily infirmity also? Thou still retainest hatred and envy: what excuse, I pray, canst thou plead for these? There is no flying for refuge to bodily infirmity in behalf of such sins as these. Thus Chrysostom shows the necessity of correcting every evil way, in thought, word, and deed, in order to prepare men for a worthy reception at God's table; and that no pretences of other qualifications without holiness, nor any excuses for sin, will be accepted, while Christ has made his commandments very practicable, and recommended his yoke as easy, and his burden as light.

Sect. 10. How necessary justice and restitution to a worthy communicant.

3. And because there are some great sins, to which men have a more than ordinary propensity and affection, and are ready to find out a thousand arts to palliate and retain them with a semblance of piety and pretended devotion; the same author is always very careful to particularize about these in men's preparation, pulling off the vizard and false colours they were apt to lay upon them. Thus in the case of injustice, many were inclined to impose upon themselves by that old Pharisaical pretence of giving something to the corban, to make a full atonement, as they thought, for their manifold rapines and oppression. Whom he thus reproves, and lays open their folly: Let no Judas, no Simon Magus, come near this table;[30] for they both perished in their avarice and love of money. Wherefore let us fly from this pit, and not imagine it sufficient for our salvation, that, when we have spoiled widows and orphans, we offer a golden cup adorned with jewels to this table. Wouldst thou honour this sacrifice? Offer thy soul, for which Christ was offered, and make it a golden soul. But if thy soul remain worse than lead or earth, what will thy golden vessels profit thee? Let us not therefore labour to offer golden vessels only, but offer what we acquire by our just and honest labour. For these are more precious than gold, which are not the fruits of covetousness and injustice. The church is not the work-house of silver and gold, but the congregation of angels. Therefore the purity of our souls is required: for God receives these things upon the account of our souls. Doubtless that table was not of silver, nor that cup of gold, wherein Christ gave his blood to his disciples; yet all was precious and full of reverence, because they were filled with the Spirit. St. Chrysostom speaks this to men's own consciences in private, who knew their own extortions, when perhaps the church knew nothing of them; and he lays upon them the necessity of justice and restitution in their private accounts with God, before they could hope to gain his favour, or be accepted at his altar. For as to public offences of this kind, we have noted before,[31] that when they were such as the church could take cognizance of, they fell under her public discipline; and it was a standing law, that the oblations of known oppressors should not be received, much less their persons to the communion of the altar.

Sect. 11. The necessity of peace and unity.

4. Another thing they much insisted on, was unity and a peaceable spirit: by which they chiefly intend-

[28] Chrys. Hom. 51. in Mat. p. 454.
[29] Ibid. Hom. 22. de Simultate, t. 1

[30] Ibid. Hom. 51. in Mat. p. 455. It. Hom. 86. p. 722. cited before, chap. 2. sect. 2. [31] Book XV. chap. 2. sect. 2.

ed that sort of peaceableness, which preserves the unity of the church, not only in opposition to formed and professed schisms, but all factions and divisions within the bosom of the church. As to formal and professed schismatics, they were objects of the public discipline, and not to be admitted to communion without public recantation and formal renouncing of their errors. But besides these there were another sort of turbulent spirits, who, without breaking forth into professed separations, were often the occasion of great tumults and disquiet in the church. Such were those Corinthians, whom the apostle so often rebukes for their factious zeal and unnecessary disputations and contentions one with another; which proceeded from many evil causes, and were attended with as bad effects. For they sprung from the bitter roots of envy, and pride, and ambition, and covetousness, and self-interest, and self-love, and a blind or else crafty and designing admiration of one teacher above another. "For one said, I am of Paul; and another, I of Apollos; I of Cephas; and I of Christ." And the effects were debates, envyings, wraths, strifes, backbitings, whisperings, swellings, tumults. Insomuch that, in their sidings and partyings, they came to express a disdain and contempt of one another in that which should have taught them the quite contrary lesson, the celebration of the Lord's supper and their feasts of charity. For in eating, every one took before others his own supper; and one was hungry, and another was drunken. Upon which the apostle gave them that most solemn admonition, 1 Cor. xi. 28, "Let a man examine himself, and so let him eat of that bread, and drink of that cup. For he that eateth and drinketh unworthily, eateth and drinketh damnation to himself, not discerning the Lord's body." It was not long after St. Paul's death, that Clemens, bishop of Rome, had occasion to write a long epistle to these Corinthians upon the very same subject of their seditious factions and divisions, where, among many other arguments to persuade them to unity and peace, he bids them beware,[32] that the manifold blessings of God did not turn to their condemnation, if they walked unworthy of him, and neglected to do what was good and pleasing in his sight with unanimity and concord. Therefore he bids them[33] quickly remove this evil, and fall down before the Lord, and weep and pray to him, that he would be merciful and reconciled to them, and reduce and restore them to the pure and comely way of brotherly love. For this is the gate of righteousness which opens unto life. Charity unites us unto God;[34] charity covers a multitude of sins; charity beareth all things; charity has nothing of pride or baseness in it; charity has no schism; charity raises no sedition; charity does all things in concord. By charity all the elect of God are made perfect; without charity nothing is acceptable unto God. Therefore he advises the ringleaders of the sedition and the heads of faction to be subject to their rulers and repent, and to lay aside all arrogant[35] and proud boasting of the tongue; since it was better to be found little and approved in the fold of Christ, than to be high-minded and rejected from the hope of his kingdom. He bids them sacrifice their own interest to the peace of the church. Who among you is of a noble and generous temper? Who[36] has any bowels of compassion? Who is filled with charity? Let him say, If upon my account there be sedition, and discord, and schism, I will willingly depart, and go away whithersoever you please; I will do what the people command me; only let the fold of Christ be in peace under the elders that are set over them. He that does this, shall purchase to himself great honour in the Lord, and every place will receive him. "For the earth is the Lord's, and the fulness thereof." Thus did that holy man exhort the seditious Corinthians to lay aside their factious and turbulent spirit, and betake themselves to the ways of unity and peace, as ever they hoped to find mercy and favour at the hands of the Lord. And the ancients generally use this argument against uncharitable strife and contention, and schism and division, that they are crimes of that magnitude, that without repentance even the blood of martyrdom will not wash away and blot out the stain and guilt of them. Which is a noted saying of Cyprian's,[37] repeated and approved by Chrysostom,[38] St. Austin,[39] Fulgentius,[40] and many others.

Sect. 12. Of charity and mercy to the poor.

5. Another thing they much recommended as a necessary qualification in a worthy communicant, was the exercise of beneficence and charity to the indigent, especially to the poor members of Christ. For when they themselves were about to receive the greatest blessings in the world, they thought it but reasonable that they should show kindness, according to their ability, to his and their brethren. This was the foundation of their oblations and love-feasts mentioned before; and the neglect, or abuse, or partiality used in them, was always reputed a capital misdemeanour. But this was not all: they not only required men to be charitable in the act of communicating, but at all times; and allowed not the most plausible pretences that could be offered to the contrary. Some apologized for their uncharitableness, as they did for their injustice; they wiped their mouths, and cried out, Corban, It is a gift to Christ, wherewith thou

[32] Clem. Rom. Ep. 1. ad Cor. n. 21.
[33] Ibid. n. 48. [34] Ibid. n. 49. [35] Ibid. n. 57.
[36] Ibid. n. 54. [37] Cypr. de Unit. Eccles. p. 113.
[38] Chrys. Hom. 11. in Ephes. p. 1107.
[39] Aug. de Bapt. cont. Donat. lib. 4. cap. 17.
[40] Fulgent. de Fide ad Petrum, cap. 39.

mightest be profited by me: and so they thought themselves discharged by commutation; they gave to God's use some gift which he required not, and let the poor perish, whom he had commanded them to sustain. To these St. Chrysostom[41] thus elegantly discourses. Would you honour the body of Christ? Do not then despise him when he is naked. Do not honour him here in the church with vestments of silk, and neglect him without-doors, when ready to perish with cold and nakedness. For he that said, "This is my body," and confirmed the thing with his word, said also, "Ye saw me an hungred, and fed me not:" and, "Forasmuch as ye did it not to one of the least of these, ye did it not unto me." For this body of Christ (the eucharist) needs no clothing, but a pure mind: but that other body of his needs much of our care. Therefore let us learn to be wise, and honour Christ according to his own will. Give him that honour which he has commanded; distribute your riches among the poor. God has no need of golden vessels, but of golden souls. I say not this, to forbid any man to offer such gifts; but because I judge it proper, together with these, and before these, to do works of charity. For God indeed receives these, but the other are much more acceptable to him. Vessels only profit him that offers them, but works of charity profit both the giver and the receiver. The one is often an occasion of ostentation, but the other is all humanity and mercy. What profit is it to Christ, that his table is filled with golden cups, whilst he himself is famished by want? Therefore first feed him when he is hungry, and then of your superfluity and abundance adorn his table. You make him a golden cup, but will not give him a cup of cold water. What does this profit him? You prepare coverings for his table embroidered with gold; but he himself is naked, and you cover him not with necessary clothing. What advantage is there in all this? Tell me, I pray: suppose you should see a man want necessary food, and you, instead of relieving his hunger, should only adorn his table with gold: would he take this as any kindness, and not rather look upon it with indignation? Or, if you saw a man clothed in rags, and frozen with cold, and you, instead of giving him raiment, should erect golden pillars, and say you did it for his honour: would he not rather say you mocked him, and think you put the greatest affront imaginable upon him? You may apprehend the case to be the very same with Christ: when he wanders about as a stranger, having no house to cover his head, then thou neglectest to take him in; thou contemnest his person, but beautifiest his pavement and hi walls, and the heads of his pillars: thou makest his lamps to hang on silver chains, but wilt not vouchsafe to visit him when he is chained in prison. I speak not this to prohibit thee from doing these things, but to excite thee to do the other together with them, or rather before them. For no man was ever condemned for not building magnificent temples, but for neglecting the poor hell is threatened, and the fire that shall never be quenched, and punishment with devils. Whilst, therefore, you adorn God's house, do not neglect your afflicted brother. For he is more properly the temple of God than the other. For those may be plundered of all their treasure by infidel kings, and tyrants, and thieves: but what thou dost to a brother that is hungry, or a stranger, or naked, the devil himself cannot rob thee of, but it is laid up in a safe repository, where no violence can make a prey of it. It were easy to give the reader many other such affecting passages out of Chrysostom[42] and others, but this one is sufficient to show what stress they laid upon charity or beneficence to the poor, in order to qualify men for a worthy reception of the holy communion.

Sect. 13. Of charity in forgiving enemies, and pardoning offences.

6. But this was not the only kind of charity they required to be exercised upon this occasion: there was another more difficult to be practised, and yet no less necessary to be performed by all that would lay any just claim to the mercy of God in the sacrifice of Christ's body and blood; and that was, the duty of pardoning and forgiving enemies, without which it was absurd and impudent to presume to ask God pardon at the holy table. Therefore St. Chrysostom,[43] explaining those words of our Saviour, Matt. v., "If thou bring thy gift to the altar, and there rememberest that thy brother hath ought against thee; leave there thy gift before the altar, and go thy way, first be reconciled to thy brother, and then come and offer thy gift;" says, By all this Christ intended to signify, that the holy table would not receive men that were at enmity with one another; no, nor yet could they so much as offer their prayers acceptably to God. Therefore hear this, says he, all ye that are initiated in the holy mysteries, and come not in enmity to the communion of the altar. Let them also hear it, who are not yet initiated. For they have a common concern in these words also. For they offer likewise their gifts and their sacrifice, I mean their prayers and their alms; which the psalmist often calls sacrifice: "The sacrifice of praise shall honour me:" and, "Offer unto God the sacrifice of praise:" and, "Let the lifting up of my hands be an evening sacrifice." Whence he concludes, That if a man come to pray with such a mind, he had better leave his

[41] Chrys. Hom. 51. in Mat. p. 455.

[42] Vid. Chrys. Hom. 1. in 1 Tim. p. 1631. Hom. 9. de Pœnitent. t. 1. p. 704. Hom. 25. t. 5. p. 369.

[43] Chrys. Hom. 16. in Mat. p. 166.

prayers, and go first and be reconciled to his brother, and then come and offer his prayers. It is usual with Chrysostom upon this account to tell his hearers, that they[44] who are unqualified for the communion, are unqualified for their prayers likewise; because they in effect pray to God to curse themselves, whilst they pray for forgiveness of sins only in the same manner as they forgive their enemies. If we have designs of revenge in our hearts, says he,[45] when we pray, we pray against ourselves, saying, "Forgive us our trespasses, as we forgive them that trespass against us." These are terrible words, and the same as if one said to God: "Lord, I have forgiven my enemy, forgive thou me; I have loosed him, loose thou me; I have pardoned my enemy, pardon me; if I have retained his sins, retain thou mine; if I have not loosed my neighbour, do not thou loose my offences; what measure I have meted to him, measure thou to me again." It was with this argument that he induced the people to show mercy to their great enemy, Eutropius, when he was fled for sanctuary to the altar: How will you be able to take the holy sacrament into your hands, and use the words of that prayer, wherein we are commanded to say, "Forgive us our trespasses, as we forgive them that trespass against us," if you exact punishment of your debtor? In another place[46] he tells them, if they forgave their enemies, they might then come with a pure conscience to the holy and tremendous table, and boldly say the words contained in that prayer, "Forgive us, as we forgive." But if they retained anger or malice in their hearts,[47] they were no fitter to partake of that holy table than fornicators, or adulterers, or blasphemers. For how canst thou desire God to be gracious and merciful to thee, who art so implacable and inexorable to thy fellow servant? Admit he has injured and affronted thee. Hast thou not often injured and affronted God? And what comparison is there betwixt the Lord and a servant? It may be also thy fellow servant was first injured by thee, and only returned the compliment, and paid thee in thy own kind, and thou art incensed at that: but thou, without any injury or provocation received from God, treatest him contumeliously; nay, not only when he does thee no harm, but when he daily loads thee with blessings, and continually pours forth his benefits upon thee. He adds,[48] that this sin of malice and revenge was the more dangerous and inexcusable, because it had none of the little pleas which were commonly urged in the behalf of other sins, to be offered in its favour. If I bid you fast, you plead the excuse of bodily infirmity; if I bid you give to the poor, you plead poverty yourself, and the care of your own children; if I call upon you to attend Divine worship, you pretend the avocations of worldly care and secular business; if I bid you hear sermons, and consider the power of the doctrine contained in them, you plead disability and want of learning to understand them; if I advise you to admonish and correct your brother, you tell me he will not hearken to your counsel; you have admonished him, and he despises you. These are but cold excuses, yet they are excuses in some sort. But if I bid you lay aside your anger, which of these excuses can you make? You cannot plead bodily infirmity, nor poverty, nor want of understanding, nor want of time and leisure from worldly business, nor any other such excuse; therefore this, of all others, is a most unpardonable sin. How then will you hold up your hands to heaven, or move your tongue, or ask pardon of your sins, when, if God were disposed to pardon them, you will not suffer him to do it, while you refuse to pardon the offence of your fellow servant? Having used these and many other excellent arguments to show men the necessity of reconciliation and mutual forgiveness, when they came to the holy communion, which is the covenant of forgiveness and peace with God and man, he takes notice of two evasions, which some men used in this case to palliate and foster still something of an ill-natured temper, and make it seem consistent with their duty. Some were, indeed, afraid to say those words of the Lord's prayer, "Forgive us our trespasses, as we forgive them that trespass against us;" as being sensible it was no better than cursing themselves, while they continued in such an evil disposition: and therefore they only said the first clause, "Forgive us our trespasses," and dropped the second, which contains the condition of their forgiving others: and they were so vain as to think this was a sufficient salvo to their consciences, and a security against the menaces that were threatened to a revengeful temper. To whom he replies,[49] That this was but a vain caution, for whether they said the words or not, God would deal with them according to their actions; Christ having told them, in the very next words, "If ye forgive not men their trespasses, neither will your heavenly Father forgive you your trespasses." Others excused themselves by saying, I bear no hatred or malice against my enemy, I am not concerned or troubled at his enmity, I will have nothing to do with him. But, says Chrysostom, this is not enough, that thou wilt give him no trouble, that thou wilt do him no harm, that thou wilt bear no rancorous mind against him; but thou must endeavour to restore him to a friendly

[44] Chrys. Hom. 3. in Ephes. p. 1051. Hom. 22. de Ira, t. 1. p. 256.

[45] Ibid. Hom. in Eutrop. t. 4. p. 554. Hom. 38. de Pœnitent. et Euchar. t 5. p. 570.

[46] Ibid. Hom. 27. in Gen. p. 358.

[47] Ibid. Hom. 22. de Ira, t. 1. p. 277.

[48] Ibid. p. 282.

[49] Ibid. p. 289.

temper. For God has not commanded us to have nothing to do with our enemy, but to have many things to do with him. For this reason he is our brother; and for this reason God said not, Forgive thy brother what thou hast against him; but, "Go, and be reconciled to him, if he hath ought against thee;" and cease not, till thou hast brought that member to its proper harmony and concord. He has also there[50] these remarkable words: I tell you before, I protest, I proclaim it aloud, let no man that has an enemy come to the holy table, and receive the body of the Lord. Let no man come that has an enemy. Hast thou an enemy? come not. Wouldst thou come? Be reconciled, and then come and receive the holy body. Thy Lord, to reconcile thee to his Father, refused not to be slain, and shed his blood for thy sake: and wilt not thou speak a word, nor go to make the first offer, to reconcile thy fellow servant? This he says to those, who thought it below them, and an act of pusillanimity and disgrace, to seem to make the first step toward reconciling an enemy, by being first in the offer and motion of peace. But he assures them it was a duty, and an honourable duty, thus to imitate Christ in a charitable condescension: and whatever might be the effect of it here, it would have a double and a triple crown hereafter. Finally, he tells them, with a solemn protestation,[51] in the close of all, that if after forty days' warning he found any still persist irreconcilable to one another, he would no longer use admonitions, but proceed to severer methods, and order them to be kept back from the holy mysteries, till they should amend their fault, and come to the holy table with a pure conscience, which was the only proper way to partake of the communion.

Sect. 14. Of their behaviour at the communion, and afterwards.

These were some of those necessary qualifications they required in men before they came to the holy communion. And at the time of celebration, the very offices of the church were so framed as to elevate men's souls to the highest pitch of reverence, devotion, and thankfulness to God for his mercies in the sacrifice of Christ his only Son. To which purpose the reader may recollect what has been said of the great thanksgiving in the consecration of the eucharist; and the *Sursum corda*, or call to lift up their hearts to the Lord; and of the seraphical hymns and angelical glorifications intended to set forth the praises of God in this excellent mystery. To which may be added that advice of Origen,[52] That men should approach it with the profoundest humility, imitating the good centurion, and saying, "Lord, I am not worthy that thou shouldst come under my roof." That they should then quit all thoughts of earthly things, and consider that they were then in the midst of cherubims and seraphims, angels and archangels, and all the powers above. For this mystery,[53] in Chrysostom's phrase, turns earth into heaven. Open the gates of heaven, and see; or rather, not heaven, but the heaven of heavens, and then you shall see what I say. For that which is the most honourable of all things there, that I will now show you upon the earth; not angels, or archangels, not the heavens, or the heaven of heavens, but the Lord of them all, whom you not only see, but touch, and eat, and carry home with you. Therefore upon this he grounds several excellent exhortations. Let us become eagles[54] and fly up to him in heaven; let us have nothing to do with the earth, but look upward to the Sun of righteousness; let us not receive him with polluted hands, but come to him with reverence and all imaginable purity; saying, By this body I am no longer earth and ashes; I am no longer a captive, but free: for this I hope to receive heaven and all the good things therein, immortal life, the condition of angels, the society of Christ. Cleanse, therefore, and wash thy soul, prepare thy mind for the reception of these mysteries. If the son of a king in all his ornamental robes, his purple and his diadem, were put into thy hands to carry, thou wouldst contemn all earthly things. But now thou receivest not the son of a mortal king, but the only begotten Son of God: and art not thou afraid still to retain the love of worldly things? Why is not this ornament alone sufficient for thee, but thou must yet needs look to the earth, and be in love with riches? Knowest thou not that thy Lord has an aversion to all the pomp and magnificence of this life? Was he not therefore born of a poor mother, and at his birth laid in a manger? And was not his answer this, to the man who thought to make a gain of his service, "The Son of man hath not where to lay his head?" Let us therefore imitate him; and passing by the beauty of pillars and marbles, let us seek for mansions in heaven above; and trampling upon all worldly pride, and the love of riches, let us take to ourselves lofty souls, and mind the things that are on high. When you come to the holy table and the sacred mysteries, says he,[55] in another place, do it with fear and reverence, with a pure conscience, with fasting and prayer. Consider what a sacrifice you partake of, what a table you approach unto. Consider, that thou who art but dust and ashes, receivest the body and blood of Christ. God calls thee to his own table, and sets before thee his Son; where the angelical powers stand about with fear and trembling, and the cheru-

[50] Chrys. Hom. 22. de Ira, t. 1. p. 285.
[51] Ibid. p. 294.
[52] Orig. Hom. 5. de Diversis, t. 2. p. 411.
[53] Chrys. Hom. 24. in 1 Cor. p. 538.
[54] Ibid. p. 536 et 538.
[55] Chrys. Hom. 31. de Nativ. Christi, t. 5. p. 479.

bims cover their faces, and the seraphims cry with reverence, "Holy, holy, holy, Lord of hosts." Let us therefore come with the greatest reverence also, and give thanks, and fall down and confess our sins, and with tears bewail our offences, and offer up fervent prayers to God. And so purifying ourselves in quietness and decent order, let us come as to a heavenly King; and receiving the holy and immaculate sacrifice, let us kiss and embrace it with our mouths and eyes, and therewith warm our souls; that we come not together to judgment and condemnation, but to create in us sobriety of mind, and charity, and virtue, and reconcile ourselves to God, and obtain a lasting peace, and whatever other blessings arise from thence; that we may both sanctify ourselves and edify our neighbours.

And as they thus taught men, with what veneration and serious deportment they ought to behave themselves at the Lord's table; so they endeavoured to make lasting impressions of virtue upon men's minds by this argument, showing them what obligations of holiness and purity the reception of the body and blood of Christ laid upon every member of the body, and every faculty of the soul. It was an oblation of their bodies and souls to God; it was an oath, or bond and covenant, to do no evil, but to exercise themselves in all manner of virtue, as Pliny[59] represents it from the mouths of some Christians. Therefore Chrysostom elegantly represents it as an obligation laid upon every member of the body, the hands, the eyes, the lips, and tongue, the heart and soul especially, to abstain from all pollution and impurity of sin. Thou fastest before thou dost communicate, that thou mayest appear worthy:[57] and dost thou destroy all after communicating, when thou oughtest to be more temperate? I do not enjoin thee to fast, but to abstain from luxury and all the evil effects of it, immoderate laughter, disorderly words, pernicious jesting, foolish and vain discourse, and whatever a Christian ought not to speak, who has been entertained at Christ's table, and touched his flesh with his tongue. Whoever thou art, therefore, purify thy hands, thy lips, and thy tongue, which have been the gates at which Christ entered into thee. When thou sittest down to a common table, remember that spiritual table, and call to mind that supper of the Lord. Consider[58] what words thy mouth hath spoken, words worthy of such a table, what things thy mouth hath touched and tasted, what meat it has fed upon. Dost thou think it no harm with that mouth to speak evil of and revile thy brother? How canst thou call him brother? If he is not thy brother, how couldst thou say, "Our Father?" for that implies more persons than one. Consider with whom thou stoodest in the time of the holy mysteries; with cherubims, with seraphims. But the cherubims use no reviling. Their mouth is filled with one office, glorifying and praising God. How then canst thou say with them, "Holy, holy, holy," who usest thy mouth to reviling? Tell me, if there were a royal vessel, always filled with royal dainties, and set apart only for this use; and one of the servants should use it to put dung in; would he dare after that to put it thus filled with dung among the other vessels appointed for royal use? No, certainly. Yet this is the very case of railing and reviling. You say at the holy table, "Our Father," and then immediately add, "which art in heaven." This word raises you up, and gives wings to your soul, and shows that you have a Father in heaven. Therefore do nothing, speak nothing of earthly things. He hath placed you in the order of spirits above, and appointed you a station in that quire. Why then do you draw yourself downward? You stand by the royal throne, and do you revile your brother? How are you not afraid, lest the King should take it as an affront offered to himself? If a servant beats or reviles another in our presence, who are but his fellow servants, though he does it justly, we rebuke him for it. And dare you stand before the royal throne, and revile your brother? See you not these holy vessels? are they not always appropriated to one peculiar use? dares any one put them to any other? But you are more holy than these vessels, yea, much more holy. Why then do you pollute and defile yourself? You stand in heaven, and do you still use railing? You converse with angels, and do you yet revile? You are admitted to the Lord's holy kiss, and do you yet revile? God hath honoured and adorned your mouth so many ways, by angelical hymns, by food, not angelical, but super-angelical, by his own kisses, and by his own embraces; and do you after all these revile? Do not, I beseech you. Let that which is the cause of so many evils be far from the soul of a Christian. With what force and eloquence does this holy writer here show us the obligation, which the reception of the eucharist lays upon men to abstain from evil-speaking! But it equally lays a restraint upon all the other members of the body, and operations of the soul, as well as the tongue. Which Chrysostom excellently deduces after this manner in another place: Be grateful to thy benefactor by an excellent conversation;[59] consider the greatness of the sacrifice, and let that engage thee to adorn every member of thy body. Consider what thou takest in thy hand, and never after endure to strike any man: do not disgrace that hand by the sin of fighting and quarrelling, which has been honoured

[56] Plin. lib. 10. Ep. 97.
[57] Chrys. Hom. 27. in 1 Cor. p. 567.
[58] Ibid. Hom. 14. in Ephes. p. 1127.
[59] Ibid. Hom. 21. ad Pop. Antioch. t. 1. p. 266.

with the reception of so great a gift. Consider what thou takest in thy hand, and keep thy hand free from all rapines and injustice. Think again, how thou not only receivest it in thy hand, but puttest it to thy mouth, and keep thy tongue pure from all filthy and contumelious speech, from blasphemy and perjury, and all words of the like nature. For it is a most pernicious thing, that the tongue, which ministers in such tremendous mysteries, and is dyed with the purple of such precious blood, and made a golden sword, should be put to the vile practice of railing and reviling, and scurrilous and abusive language. Regard with veneration the honour wherewith God has honoured it; and do not debase it to such mean offices of sin. Consider again, that after thy hand and thy tongue, thy heart receives that tremendous mystery: then never devise any fraud or deceit against thy neighbour, but keep thy mind pure from all malicious designs. After the same manner guard thy eyes and thy ears. For is it not most absurd, after that mystical hymn that was brought from heaven by the cherubims, to defile thy ears with the songs of harlots and effeminate music? And what punishment can be too great for thee, if thou sufferest those eyes, which have seen the unspeakable and venerable mysteries, to wander gazing after harlots, and committest adultery in thy mind? Tertullian, among many other arguments which he uses against a Christian's going to be a spectator at the Roman games, uses this as one, taken from the same topic: What an absurdity is it[60] for a man to go from the church of God into the church of the devil! Out of heaven, as the saying is, into the mire! First to lift up his hands in prayer to the Lord, and then to toss those very hands to weariness in the praise of a stage-player! To make that mouth, which was used to say Amen at the holy eucharist, give testimony to a gladiator! To cry out, "world without end," to others besides Christ his God! By such familiar arguments, drawn from the nature of the sacrament, and the inconsistency of all vicious actions with the design, and circumstances, and whole tendency of it, did the ancients endeavour to possess men's minds with the sense of their duty, and their great obligation to persevere in holiness, and glorify God both in body and spirit all their days. Which, as it was but their reasonable service, so it was the only way to make this holy sacrament effectual to their salvation, and useful in their present state, by keeping up a perpetual and flaming love for Christ, which qualified them for a frequent reception, and almost daily repetition of it; which is the last thing to be considered in this whole inquiry.

CHAPTER IX.

OF FREQUENT COMMUNION, AND THE TIMES OF CELEBRATING IT IN THE ANCIENT CHURCH.

Sect. 1. All persons, except penitents under censure, anciently obliged to receive the communion every Lord's day, by the canons of the church.

It has been showed before, in speaking against private and solitary masses, that though it be now the custom in the church of Rome for the priest to receive the eucharist without any other communicants, either clergy or laity, how many soever be present at the action, yet there was no such custom ever heard of in the ancient church. And though in most other churches this corruption be reformed, yet there remains a great defect still uncorrected, which is the want or neglect of frequent communion. I shall make no further inquiry into the causes of this neglect, whether it proceed from a general decay of Christian piety, or from a want of strict discipline in the church, but only observe that it is a great declension from the zeal and fervour of the primitive ages. For then, it is certain, it was both the rule and practice for all in general, both clergy and laity, to receive the communion every Lord's day, except such as were unqualified for it either as catechumens or penitents, who of course, for want of a due preparation, were obliged to abstain from it. Among the Apostolical Canons there are two to this purpose. The first says, If any bishop, presbyter, or deacon, or any other of the clergy, does not communicate, when the oblation is offered,[1] let him show cause why he does not, that, if it be a reasonable cause, he may be excused; but if he show no cause, let him be excommunicated, as giving scandal to the people, and raising suspicion against him that offers. And the next canon says, If any of the faithful come to church to hear the Scriptures read, and stay not to join in the prayers and receive the communion, let them be excommunicated, as the authors of disorder in the church. The council of Antioch, which was held in the middle of the fourth century, repeats this decree: Let all those be cast out of the church, who[2] come to hear the Scriptures read in the church, but do not communicate with the people in prayer, or disorderly turn away from the participation of the eucharist, till by confession and fruits of repentance and intercession they have obtained pardon. These canons show, that as often as they met together for Divine service on the Lord's day, they were obliged to receive the eucharist, under pain of excommunication. And all other canons

[60] Tertul. de Spectac. cap. 25. Quale est de ecclesia Dei in diaboli ecclesiam tendere? de cœlo, ut aiunt, in cœnum? illas manus quas ad Dominum extuleris, postmodum histrionem laudando fatigare? Ex ore quo Amen in sanctum protuleris, gladiatori testimonium reddere? *εἰς αἰῶνας* alii omnino dicere nisi Deo Christo? See more such arguments in Cyprian, Ep. 36. al. 38. p. 125.

[1] Can. Apost. can. 9. [2] Conc. Antioch. can. 2.

which speak of the order of Divine service, plainly show that the celebration of the eucharist was always one inseparable part of it. The council of Laodicea,[3] as has been often noted before, describes the whole in this order. First, after the sermon, the prayers of the catechumens, and then the prayers of the penitents, and after their departure, the prayers of the faithful, and then the kiss of peace, and last of all the offering of the holy oblation. And all such canons as forbid the penitents to be partakers of the eucharist,[4] do plainly suppose all the rest of the people to be partakers of it. And if any man did not partake of it, it was an intimation either that he was doing penance, or at least was conscious to himself of some great crime, for which he ought to do penance; for no others were allowed to abstain from the constant participation of the eucharist. All they that do not communicate, says St. Chrysostom,[5] are penitents; if thou art of the number of those who do penance, thou mayest not partake; for whoever does not partake is one of that number. Which implies, that all were obliged constantly to communicate who were not doing penance publicly or privately for their offences. And this was so much the practice of those days, that the council of Eliberis[6] orders, that they who would not communicate should not be allowed to make their oblations. Which was a sort of excommunication of them; for the oblations and the eucharist commonly went together. The first council of Toledo[7] orders those who come to church, but neglect to communicate, to be admonished; and if they amend not upon admonition, then to be reduced to the state of formal penance for their crime. It were no hard matter to show the like prescriptions in many other councils,[8] but these are sufficient to show what was the standing rule of the first ages as to men's obligations to be constant in receiving the communion once a week in their solemn assembly on the Lord's day.

Sect. 2. This showed to be the constant practice for the three first ages.

And if we run over the whole history of the three first ages, we shall find this to have been the church's constant practice. Ignatius exhorts the Ephesians[9] to be diligent in assembling frequently to celebrate the eucharist and glorify God. For when ye often meet together ye demolish the power of Satan, and the harmony of your faith destroys the destruction which he meditates against you. This frequency of communion may reasonably be supposed to be then, according to the known practice, once a week, on every Lord's day. For on this day (as Pliny, who was contemporary with Ignatius, informs us,[10] from the testimony and confessions of some Christians, whom he, as proconsul of Bithynia, examined) they were used to meet before it was light by reason of the persecutions, and then not only sing hymns to Christ their God, but also to bind themselves by a sacrament against the commission of all manner of wickedness. Justin Martyr says[11] more expressly in his Apology to the emperors, that on the day called Sunday they were all used to meet together both out of city and country, and hold a religious assembly in this manner: first a reader read the writings of the prophets and apostles; then the president of the assembly made a sermon; after which they all rose up to common prayers; and when those were ended, bread and wine were brought to the president, who consecrated them with prayer and thanksgiving, to which all the people said, Amen. Then all the present members participated of the eucharist, and it was carried to the absent by the deacons. The like account is given by Clemens of Alexandria, when he says,[12] that as soon as the bread was broken in the celebration of the eucharist, they permitted every one of the people to take his share of it. And we shall presently see more of this custom of communicating every Lord's day in the writings of Tertullian, and Cyprian, and Eusebius, and many others, who speak of other days as well as the Lord's day appropriated in some churches to this service: but about these the custom varied; for on other days some churches celebrated the eucharist, and others did not; but on the Lord's day it was universally celebrated in all churches, and never omitted by any assembly of Christians whatsoever. Insomuch that some[13] have observed out of Chrysostom,[14] that Sunday was anciently, among other names, called *dies panis*, the day of bread, because the breaking of bread was so general a custom in the church on that day.

Sect. 3. The eucharist celebrated on other days besides the Lord's day in many churches.

As to other days, we may observe out of Tertullian, that in his time they not only received the eucharist on Sundays[15] in their morning assemblies before day, but also at other times on other days; particularly on the anniversary festivals of

[3] Conc. Laodic. can. 19 et 49.

[4] Vid. Conc. Nicen. can. 11 et 13. Conc. Ancyr. can. 4, 5, 6. Κοινωνήτωσαν δίχα προσφορᾶς.

[5] Chrys. Hom. 3. in Ephes. p. 1051.

[6] Conc. Eliber. can. 28. Placuit ab his qui non communicant, episcopos munera accipere non debere.

[7] Conc. Tolet. 1. can. 13. De his qui intrant in ecclesiam, et deprehenduntur nunquam communicare, admoneantur. Quod si non communicant, ad pœnitentiam accedant.

[8] Vid. Conc. Matisc. 2. can. 4. Conc. Antissiod. can. 39.

[9] Ignat. Ep. ad Ephes. n. 13. Σπουδάζετε πυκνότερον συνέρχεσθαι εἰς εὐχαριστίαν, κ.τ.λ.

[10] Plin. lib. 10. Ep. 97.

[11] Justin. Apol. 2. p. 97 et 98.

[12] Clem. Strom. 1. p. 318. Vid. Conc. Laodic. can. 49. Innocent. Ep. 1. ad Decent. Gaudent. Ser. 2. de Pascha.

[13] See Bishop Taylor's Constant Commun. p. 462.

[14] Chrys. Hom. 5. de Resur. in edit. Latinis.

[15] Tertul. de Coron. Mil. cap. 3. Antelucanis cœtibus eucharistiam sumimus, &c.

the martyrs; and the fifty days between Easter and Pentecost, which were but one continued festival; and all their stationary days, that is, Wednesdays and Fridays in every week throughout the year. These things are not commonly observed by writers on this subject, but they add considerably to the argument about frequent communion. Tertullian says expressly of these stationary days, that they were always observed with receiving the eucharist. For he tells some, who objected against it on these days, that their station would be so much the more solemn[16] for their standing at the altar. And whereas they scrupled to communicate because they were afraid that receiving the eucharist would be a breaking of their fast, (for these were *semi-jejunia*, half-fasts, which they observed till three in the afternoon,) he takes away[17] this scruple also, and tells them, that receiving the eucharist would be so far from breaking their fast, that it would the more recommend it to God, and by doing this they would perfectly perform both duties together. St. Basil[18] agrees with Tertullian in making the stationary days not only fast days, but days of communion. For reckoning four days in the week on which they received the communion, he counts Wednesdays and Fridays with Saturdays and Sundays, to complete the number. And Socrates[19] notes it as a peculiar custom in the church of Alexandria, that though they had religious assemblies on these days, and all other Divine service performed on them, yet they had not the communion. Which exception implies, that to receive the communion on those days was the general custom of other churches.

Tertullian as plainly intimates that they received the communion upon all the festivals of the martyrs.[20] And the same is noted by Cyprian,[21] and Chrysostom,[22] and Sidonius Apollinaris.[23] The passages have been cited at large in another place,[24] and therefore I need not here repeat them. Tertullian says further,[25] that the fifty days of Pentecost, or all the days between Easter and Pentecost, were one continued festival. And since all festivals were communion days, we may conclude that the communion was celebrated every day during this interval.

Saturday also, or the sabbath, in every week was observed as a religious festival in many churches. And therefore on this day likewise they generally received the communion. This is expressly said by Socrates,[26] and Cassian,[27] and St. Basil,[28] and Timothy of Alexandria,[29] and St. Austin,[30] and the author of the Apostolical Constitutions,[31] and the council of Laodicea.[32] I have already[33] produced the several testimonies of these writers at large upon another occasion, and therefore it is sufficient here to make a short reference to them. By all this it appears undeniably, that in many churches they had the communion four times every week, on Wednesdays, Fridays, Saturdays, and Sundays, besides incidental festivals, which were very frequent, for, as Chrysostom[34] tells us, there was scarce a week passed in the year but they had one or two commemorations of martyrs.

Sect. 4. And in some places every day.

But we are assured further, that in some places they received the communion every day. St. Austin says,[35] in some places only on the Saturday and the Lord's day, and in other places only on the Lord's day. For this was left to the liberty of every church; but they that communicated the seldomest, did it at least every Lord's day. So again,[36] The sacrament of his body, the church and its unity, is in some places prepared and taken every day at the Lord's table; in other places only on certain days, with an interval of time between them. In the greater churches probably they had it every day, in the lesser only once or twice a week. Carthage seems to have been one of those churches which had it every day[37] from the time of Cyprian. For Cyprian, and Austin[38] after him, speak of it as the custom of that church to receive it daily, unless they were under some such grievous sin as separated them from the body of Christ, and kept them as penitents from communicating. Therefore Cyprian gives this as one sense of that petition in the Lord's prayer, "Give us this day our daily bread," as if it might be understood in the spiritual sense, as well as the

[16] Tertul. de Orat. cap. 14. Nonne solennior erit statio tua, si et ad aram Dei steteris?

[17] Ibid. Ergo devotum Deo obsequium eucharistia resolvit, an magis Deo obligat?

[18] Basil. Ep. 289. ad Cæsaream Patriciam, t. 3. p. 278.

[19] Socrat. lib. 5. cap. 22.

[20] Tertul. de Coron. cap. 3.

[21] Cypr. Ep. 12. al. 37. Ep. 39. al. 34.

[22] Chrys. Hom. 59. de Martyr. t. 5. p. 779.

[23] Sidon. lib. 5. Ep. 17.

[24] Book XIII. chap. 9. sect. 5.

[25] Tertul. de Coron. cap. 3. De Idololat. cap. 14.

[26] Socrat. lib. 5. cap. 22. lib. 6. cap. 8.

[27] Cassian. Instit. lib. 3. cap. 2.

[28] Basil. Ep. 289.

[29] Timoth. can. 13.

[30] Aug. Ep. 118.

[31] Constit. lib. 2. cap. 59.

[32] Conc. Laodic. can. 49.

[33] Book XIII. chap. 9. sect. 3.

[34] Hom. 40. in Juventin. t. 1. p. 546. Hom. 65. de Martyr., &c.

[35] Aug. Ep. 118. ad Januar. cap. 2. Alii quotidie communicant corpori et sanguini Dominico, alii certis diebus accipiunt: alibi nullus dies intermittitur quo non offeratur, alibi sabbato tantum et Dominico: alibi tantum Dominico, &c.

[36] Id. Tract. 26. in Joan. p. 94. Hujus rei sacramentum, id est, unitatis corporis et sanguinis Christi alicubi quotidie, alicubi certis intervallis dierum in Dominica mensa præparatur et sumitur. See also Aug. Ser. 29. de Verb. Dom. al. 5. in Appendice. It. lib. 2. de Serm. Dom. in Monte, cap. 7. t. 4.

[37] Cypr. de Orat. Dom. p. 147. Eucharistiam quotidie ad cibum salutis accipimus, &c.

[38] Aug. de Dono Perseverantiæ, l. 2. cap. 4.

natural, as a petition to be daily fed with the flesh of Christ in the eucharist, which was the bread of life. In another place[39] he exhorts the martyrs to prepare themselves for the fight of persecution, considering that they therefore drink the cup of Christ's blood every day, that they may be able to shed their blood for Christ. Therefore, says he[40] a little after, let us arm our hand with that spiritual sword, that it, being mindful of the eucharist, (the Christian sacrifice,) may valiantly refuse those abominable and deadly sacrifices of the heathen; let that hand, which has received the body of the Lord, embrace the Lord himself, being afterward to receive the reward of an eternal crown from the Lord in heaven. To which may be added what he says in another place,[41] That the priests who celebrated the daily sacrifices of God, did also prepare the martyrs to offer themselves as victims and oblations unto God. Where by the daily sacrifice he certainly means the eucharist, which is often called the daily sacrifice[42] by the ancients, for the same reason as the Lord's prayer is called the daily prayer, because they were both daily celebrated at the altar. St. Jerom assures us[43] it was the custom at Rome for the faithful to receive the body of Christ every day. Which he neither absolutely commends, nor disallows, but leaves every man to abound in his own sense, only requiring men to receive it with due preparation. In another place[44] he says, it was not only the custom at Rome, but of the Spanish church, to communicate every day. And to one who proposed the question to him as a case of conscience, Whether he ought to communicate every day? he gives this answer, That the customs and traditions of every church, which did not prejudice the faith, were to be observed in such manner as they were handed down by their forefathers; and the custom of one church was not to prescribe to or overthrow the contrary custom of another. And he wishes that all men might receive the eucharist every day, provided they might do it without condemnation and pricks of conscience for unworthy receiving. Which is the same resolution as St. Austin gave in the question: for having stated the arguments on both sides, for and against daily receiving; the one pleading, that men ought to abstain for a few days, that they might prepare to receive more worthily when they came to it; and the other arguing, that unless their sins were such as deserved excommunication, and the cure of a more solemn repentance, they ought not to separate themselves from the daily medicine of Christ's body; he divides the matter between them, determining that each party might act according as their own judgment and faith in this case piously directed them. For neither of them[45] intended to dishonour the body and blood of the Lord, whilst they strove earnestly who should do the greatest honour to the holy sacrament of their salvation. In like manner as Zacchæus and the centurion were at no variance between themselves, neither did the one prefer himself before the other, when the one received the Lord into his house rejoicing, and the other said, "Lord, I am not worthy that thou shouldst come under my roof:" for they both really honoured their Saviour, though in a different, and, as it were, in a contrary way, being both miserable in their sins, and both alike obtaining mercy. So it is with pious Christians in this case; the one out of honour dares not receive the sacrament every day, and the other out of honour dares not let any day pass without receiving it. This was a holy strife indeed, and we see the dispute was not, whether they should receive it only once or twice a year, but whether they should receive it once or twice a week, or rather, every day. We have heard Gennadius say before,[46] that he neither praises nor dispraises receiving the eucharist every day, but he persuades and exhorts all to receive it every Lord's day, if their minds be pure from affections to sin. St. Ambrose was more peremptory in his advice to receive it every day. If it be our daily bread,[47] says he, why dost thou receive it once a year only, as the Greeks are used to do in the East? Receive that daily, which is for thy daily advantage; and so live, that thou mayest deserve daily to receive it. He that does not deserve to receive it every day, does not deserve to receive it after a year. Again,[48] I ought always to receive that which is shed for the remission of sins, that my sins may always be forgiven me: I that am always sinning, ought always to have my medicine at hand, as he that has a wound seeks without delay for a cure. St. Ambrose here is very plain, that the communion was administered daily

[39] Cypr. Ep. 36. al. 38. ad Thibaritanos, p. 120. Considerantes idcirco se quotidie calicem sanguinis Christi bibere, ut possint et ipsi propter Christum sanguinem fundere.

[40] Ibid. p. 125. Armemus dexteram gladio spiritali, &c.

[41] Cypr. Ep. 54. al. 57. ad Cornel. p. 118. Sacerdotes qui sacrificia Dei quotidie celebramus, hostias Deo et victimas præparemus.

[42] So Chrys. Hom. 3. in Ephes. p. 1051. Θυσία καθημερινὴ, καθ' ἑκάστην, κ.τ.λ.

[43] Hieron. Ep. 50. ad Pammachium. cont. Jovin. cap. 6. Scio Romæ hanc esse consuetudinem, ut fideles semper Christi corpus accipiant: quod nec reprehendo nec probo. Unusquisque enim in suo sensu abundat.

[44] Ep. 28. ad Lucinium Bœticum. De eucharistia quod quæris, an accipienda quotidie, quod Romanæ ecclesiæ et Hispaniæ observare perhibentur, &c.

[45] Aug. Ep. 118. ad Januar. cap. 3.

[46] Gennad. de Dogmat. Eccles. cap. 53. See the last chapter, sect. 3.

[47] Ambros. de Sacram. lib. 5. cap. 4. Si quotidianus est panis, cur post annum illum sumis, quemadmodum Græci in Oriente facere consueverunt? &c.

[48] Id. lib. 4. c. 6. Qui semper pecco, semper debeo habere medicinam, &c.

in the Western church, but he seems to reflect upon the Greek church, as if they had left off that custom. But he is to be interpreted by St. Austin,[49] who speaks the same thing, but does not charge the whole Greek church, nor any part of it, with this innovation, but only some particular men in some parts, who did not think themselves under any obligation to receive it daily. And indeed it appears from St. Chrysostom and others, that about this time many began scandalously to neglect frequent communion, and contented themselves to receive once or twice a year upon some solemn festival. But the church was far from encouraging this contempt: for she kept still to the custom of daily communion in many places, and in all places to the celebration of it on Saturday and the Lord's day, and in many places on Wednesdays and Fridays also; and they that were piously disposed, were constant communicants at these times; and they that were negligent and profane, were earnestly invited to be more frequent in communicating, and there are many severe invectives against their remissness. Eusebius[50] says expressly, that they celebrated the memorial of Christ's body and blood, ὁσημέραι, every day. And it appears from the council of Laodicea,[51] that they had it twice in the week, on Saturdays and Sundays, in Lent, and at all other times of the year more frequently. St. Basil[52] speaks of four days in the week on which it was usual to receive the communion, besides incidental festivals of martyrs. And he commends it as good and useful to communicate and participate of the holy body and blood of Christ every day, καθ' ἑκάστην ἡμέραν. Palladius tells us[53] how Macarius advised a woman that had been under the power of enchantment, never to omit receiving the communion; telling her, that that judgment had befallen her because that for five weeks she had neglected to partake of the holy mysteries. But none is more express in this matter, nor more vehement against the neglect of frequent communion, than St. Chrysostom. He tells us sometimes that they had communions every day for those that were more devoutly disposed; sometimes on the three more solemn days in the week, Fridays, Saturdays, and Sundays, on which days the whole church was expected; though for all this many came not above once a year. In vain, says he,[54] is the daily sacrifice, καθημερινὴ θυσία, in vain do we stand at the altar; there is none to participate. He speaks this against those who came but once a year, out of mere custom, at some solemn festival, whilst in the mean time the sacrifice was daily offered, though they refused to partake of it. In another place, discoursing of the difference between the Jewish and Christian passover,[55] he says, The Jewish passover comes but once a year, but the Christian passover is celebrated in every *synaxis* or assembly. And a little after, Lent comes but once a year, but the passover is celebrated three times a week, and sometimes four, or as often as we please. Again, This is what destroys[56] all religion, that men measure their worthiness not by the purity of their souls, but by the length of time, and take this for piety and reverence, that they come not frequently to the Lord's table; not considering, that if they come unworthily, though it be but once a year, they are worthy of punishment. It is not boldness to come frequently, but to come unworthily, though a man do it but once in all his life. But we are so stupid and insensible as to think, that when we have wallowed in sin all the year without any care to repent, it is sufficient that we have not daily presumed in a contumelious manner to touch the body of Christ; not considering, that the Jews, who crucified Christ, did it but once. But was their sin ever the less for that? And Judas betrayed him but once. But did that excuse him? Why, therefore, do we measure this matter by time only? Let the seasonable time of our coming be a pure conscience. The communion is the same now as it is at Easter, there is the same grace of the Spirit, it is the passover every day. The same sacrifice is offered on Fridays, and Saturdays, and Sundays, and the festivals of the martyrs. It is plain, by all this, that the communion was celebrated ordinarily three or four times a week, if not every day; though some were so vain as to think they were the more respectful to it, in not coming above once a year, out of a pretended reverence for it; who yet, when they did come, came only to eat it to their condemnation, for want of a mind duly prepared to receive it. Whom he thus reflects upon in another place: Many partake of this sacrifice only once a year, others twice, and others frequently. Which of these are the most acceptable? They only who do it with a pure conscience, with a pure heart, with a life unblamable. With this qualification come always;[57] without it come not so much as once. For they that do so, take only judgment, condemnation, and punishment to themselves. This he repeats over and over again in his homilies. He that is conscious to himself of no crime, ought to come to the Lord's table: but if men are laden with

[49] Aug. de Sermone Dom. in Monte, lib. 2. cap. 7. t. 4. Plurimi in Orientalibus partibus non quotidie cœnæ Dominicæ communicant, cum iste panis quotidianus dictus sit.

[50] Euseb. Demonstr. Evangel. lib. 1. cap. 10. p. 37.

[51] Conc. Laodicen. can. 49.

[52] Basil. Ep. 289. ad Cæsaream.

[53] Pallad. Hist. Lausiac. cap. 19. Bibl. Patr. Gr. Lat. t. 2. p. 923. See also Cassian. Collat. 7. cap. 30, where he speaks of daily communion.

[54] Chrys. Hom. 3. in Eph. p. 1051.

[55] Hom. 52. in eos qui Pascha jejunant, t. 5. p. 705 et 709.

[56] Hom. 5. in 1 Tim. p. 1540.

[57] Hom. 17. in Hebr. p. 1872.

sin, and do not repent,[58] it is not safe for them to come even once upon a festival. The Jews have their annual memorials of God's benefits on their festivals, but thou who art a Christian hast a daily memorial,[59] as I may say, in these holy mysteries. The best preserver of kindnesses is the remembrance of them, and perpetual thanksgiving for them. Therefore, those venerable and salutary mysteries, which we celebrate every day in our assemblies,[60] are called the eucharist, or thanksgiving; because they are the memorial of God's kindness to us. It were easy to collect abundance more such passages out of this ancient writer, but I will only add one place more, where he thus sharply taxes the people's negligence of frequent communion: I often observe, says he, a great multitude flock together[61] to hear the sermon, but when the time of the holy mysteries comes, I can see few or none of them: which makes me sigh from the bottom of my heart, that when I, your fellow servant, am discoursing to you, you are ready to tread upon one another for earnestness to hear, and continue very attentive to the end; but when Christ, our common Lord and Master, is ready to appear in the holy mysteries, the church is in a manner empty and deserted. What pardon or excuse can be allowed for this? By this neglect you lose all the praise that is due to your diligence in hearing. If you had laid up in your hearts what I preach to you, it would retain you in the church, and prompt you to receive the holy mysteries with piety and veneration: but now, as if you were hearing one play upon an instrument, the preacher has no sooner done, but ye are all gone out of the church. This, I confess, proves that in Chrysostom's days there was a great abatement of the primitive zeal, and a great declension from the original practice; but still it is evident that frequent and daily communions were in some measure kept up by the clergy and devouter sort of laity, who constantly frequented them, though many careless Christians had no other regard to them, but only to come formally once or twice a year, and that with superstition enough instead of religion, at some of the solemn festivals.

Sect. 5. When first it came to be settled to three times in the year.

When matters were come to this degeneracy, some councils, instead of reviving the ancient discipline, and quickening men by just censures to frequent communion, contented themselves to oblige the laity to receive three times a year, at the three great festivals, Christmas, Easter, and Pentecost, under the penalty of not being reputed catholic Christians, if they neglected to communicate at those three noted seasons. Thus it was first determined in the council of Agde[62] about the year 506. And so things continued to the time of Charles the Great, when the third council of Tours[63] made a decree to the like purpose, anno 813: That all laymen, who were not under the impediment of greater sins, should receive three times a year at least, if not more frequently. And yet the clergy continued to communicate frequently with some of the devouter laity every Lord's day, as appears from the writers of that age, particularly Rabanus Maurus,[64] and Bertram,[65] who says the sacrament was administered not only at the Paschal solemnity every year, but on every day throughout the year, when as yet the corruption of private and solitary mass did not prevail, which came not in till some ages after. And it is remarkable, that even in this age the council of Aix la Chapelle[66] made some attempt to restore the ancient practice to its primitive lustre, by reviving the decree of the council of Antioch, which orders all such as come to church to hear the Scriptures, but refuse to receive the holy communion, to be cast out of the church, till they should amend their fault by confession and repentance.

Sect. 6. And afterward to once a year by the council of Lateran.

But the disease was grown too epidemical and inveterate to be easily corrected; and therefore in a degenerate age the corruption went on and increased, and the council of Lateran under Innocent III. added strength and confirmation to it; reducing the obligation to communicate still within narrower bounds. For whereas before all men were obliged to communicate at least three times a year, this council made it necessary to do it no more than once, at Easter, when every man and woman that was come to years of discretion, was bound to make auricular confession of all his sins to his own priest, and receive the communion,[67] unless the priest advised that for some reasonable cause he should abstain from it. This rule was afterward taken into the body of their canon law.[68] And here we may

[58] Chrys. Hom. 31. de Philogon. t. 1. p. 403.

[59] Hom. 51. in Mat. p. 455.

[60] Hom. 26. in Mat. p. 259.

[61] Hom. 3. de Incomprehensibili, t. 1. p. 362.

[62] Conc. Agathen. can. 18. Seculares, qui in natali Domini, Pascha, et Pentecoste, non communicaverint, catholici non credantur, nec inter catholicos habeantur.

[63] Conc. Turon. 3. can. 50. Ut si non frequentius, vel ter laici homines in anno communicent, nisi forte quis majoribus criminibus impediatur.

[64] Raban. de Propriet. Sermonis, lib. 1. cap. 10. It. de Instit. Cleric. lib. 1. cap. 31.

[65] Bertram. de Corp. et Sanguine Dom. in Præfat. Sacramenta——non solum per omnes Paschæ solennitates celebrantur singulis annis, verum singulis in anno diebus.

[66] Conc. Aquisgran. cap. 70. ex Conc. Antioch. can. 2.

[67] Conc. Lateran. 4. can. 21. Omnis utriusque sexus fidelis, postquam ad annos discretionis pervenerit, omnia sua solus peccata confiteatur fideliter saltem semel in anno proprio sacerdoti, et injunctam sibi pœnitentiam studeat pro viribus adimplere, suscipiens reverenter ad minus in Pascha eucharistiæ sacramentum, &c.

[68] Decretal. Gregor. lib. 5. Tit. 38. de Pœnitent. et Remission. cap. 12.

date the utter ruin of the ancient and apostolical practice of frequent and general communions. For from this time people began to think themselves discharged of the duty of frequent communicating, and contented themselves with receiving once a year at Easter, leaving their priests to communicate alone; which quickly was attended with another corruption, of private and solitary masses, which usurped the room of the ancient general communions of the whole church one with another, and made the ancient prayers a perfect heap and mass of absurdities, whilst they prayed and gave thanks to God for the whole congregation as communicants, when there was not so much as one communicant properly speaking among them, but all mere spectators of the priest pretending to act in the name of the whole church, and communicate in pageantry without any real communion. This was the general state of the Romish service at the time of the Reformation, except in some few collegiate churches, where, if Bona[69] say true, the clergy continued to communicate with the officiating priest, according to ancient custom, without which, he confesses, it is hard to make intelligible sense of many of their prayers that are daily used in their service.

Sect. 7. What attempt was made to restore frequent and full communions at the Reformation.

Some attempt was made by the first reformers to rectify these abuses, and restore frequent and general communions in many places. And they happily carried their point so far, as to abolish private masses in all places: but the restoring the ancient way of the whole church's communicating every Lord's day, was a matter not so easy to be effected; partly by reason of the prejudices which men had imbibed by the prevalency and long duration of contrary custom; and partly by reason of that affection which men retain for their vices, which will not suffer them to comply with an institution, that requires a constant purity of soul, and a conscience always void of offence, to qualify them for a worthy reception of a weekly or daily communion. Calvin laboured hard, at his first coming to Geneva, to establish a monthly or a weekly communion, as most agreeable to the practice of the apostles and the primitive church: he pleads earnestly for it in his Institutions,[70] where he censures the popish custom of communicating only once a year, as most certainly the invention of the devil: yet, after all, he could not prevail to have so much as a monthly communion settled among the people, but was overborne in his endeavours, and forced to yield to a rule, which requires the people to communicate only four times a year. However, he says, he took care to have it entered[71] upon record, that this was an evil custom, to the intent that posterity might with more ease and liberty correct it. But whether it ever was corrected to this day, is what I am ignorant of: most probably it never was, since I have had occasion to show in another work,[72] communicating only four times a year continued to be the general, standing custom in the French church. Their discipline required no more, though they encouraged more frequent reception. The church of England was a little happier in her attempts of this kind. For though her rules require the people in general to receive but three times a year, as of necessary ecclesiastical obligation; yet in our cathedral churches the eucharist is ordinarily celebrated every Lord's day; as it is also in some of the London parish churches; and others, both in city and country, have monthly communions. Yet there remains a great deal still to be done, to bring this matter to the primitive standard. For even in our cathedrals the communions are very thin, and there is still room for those complaints of St. Chrysostom, In vain do we stand at the altar, in vain is the daily sacrifice offered; there are none, in a manner, that communicate. The churches are crowded to hear the sermon, but when the time of the holy mysteries comes, they are empty and deserted. Men are earnest to hear their fellow servant preach an eloquent discourse, but when Christ, the common Lord and Master of all, is ready to appear and entertain them, they fly, though never so kindly invited, from his table. This must needs grieve the hearts of all pious servants of Christ who stand there to minister in his name, whilst few hearken to their admonitions, and the generality excuse themselves from communicating as if it were no Christian duty. And in country parishes the matter is still more deplorable, where the despair of success deters the minister from attempting it. For here men are generally so averse to a weekly communion, that they will not be prevailed upon, with all the serious exhortations that can be used, to comply with the standing rules of the church, which oblige them to communicate three times a year, though the minister himself be under an obligation to present every such non-communicant as a notorious delinquent. But "if the foundations be cast down, what can the righteous do?" Experience tells us, it is as much labour in vain to present a negligent people for not communicating three times a year, as it is gravely to exhort them to a weekly communion. This discouragement which ministers commonly meet with in trying to bring men to comply with the stated rules of communicating three times a year by church censures, which are wholly neglected, makes them

[69] Bona, Rer. Liturg. lib. 2. cap. 17. n. 2. Sine quo vix possunt intelligi, quæ in liturgicis, orationibus quotidie recitantur.

[70] Calvin. Instit. lib. 4. cap. 17. n. 46.

[71] Calvin. Respons. de quibusdam Eccles. Ritibus, p. 206.

[72] French Church's Apology for the Church of England, book 3. chap. 14.

despair of going any higher towards the perfection of the primitive practice; since they who cannot be prevailed upon by the present discipline to communicate three times a year, are too obstinate and stubborn to hearken to any the most serious admonitions that can be used to incline them to a weekly communion.

Sect. 8. Wherein this is still deficient, and what seems yet necessary to be done in order to reduce communion to the primitive standard.

What effectual remedy can be applied to this inveterate disease, is not very easy to determine. Yet certainly the regaining of that which was so much the glory of the primitive church, and the great support of Christian innocence and piety, (as frequent weekly communion most certainly was,) must be a thing worthy the most serious thoughts and consideration of all those, into whose hands God has put power and authority by a superior influence to redress abuses, when they can safely do it to edification, and not to destruction. If I were worthy to give any advice in the case, it should be this, first to restore the practice of the true ancient discipline, and after that the way would lie open to revive the practice of the true primitive way of communicating weekly, every Lord's day. But it will be said, there lies an insuperable difficulty against the restoration of the ancient discipline in the present posture of affairs; the state of the present times, and the general corruption of men's morals, will not admit of it: the church of England has for two hundred years wished for the restoration of this discipline, and yet it is but an ineffective wish; for nothing is done towards introducing it, but rather things are gone backward, and there is less discipline for this last sixty years, since the times of the unhappy confusions, than there was before. To which it may be answered, that the difficulty is certainly great, but not insuperable; for discipline is one of God's ordinances in his church, and he appoints nothing but what is practicable in itself, if men be not wanting on their part to contribute toward the exercise of it. But to give rules in this case is a nice and tender point, and I had rather it should be done by the wisdom of others than myself. Something has already been suggested by a late learned writer[73] on this subject, very useful for obtaining the end now proposed; and, therefore, I shall content myself at present to refer to his suggestions, and put an end to this discourse.

[73] Penitential Discipline of the Primitive Church, chap. 4. London. 1714.

BOOK XVI.

OF THE UNITY AND DISCIPLINE OF THE ANCIENT CHURCH.

CHAPTER I.

OF THE UNION AND COMMUNION OBSERVED IN THE ANCIENT CHURCH.

Sect. 1. Of the fundamental unity of faith and obedience to the laws of Christ.

THE design of ecclesiastical discipline being chiefly to preserve the unity of the church in all necessary things, and keep it in purity, and free from corruption, by turning out unworthy members from her society and communion, and denying them all the privileges that belong to it; nothing will be more proper to usher in a discourse concerning the discipline of the ancient church, than first to give a preliminary account of that union and communion, which she laboured to preserve in all her members, united in one mystical body, under Christ, her universal Head. And here, first of all, the unity of faith was principally insisted on, as the foundation on which all other sorts of Christian unity were built: and next to this, they required the unity of holiness or obedience, that the church might be one in observing all the laws and institutions of Christ. Some reckon the first sort of unity fundamental and essential[1] to the very being of the church, and all others only necessary to the well-being of it. But I conceive the ancients[2] accounted both the unity of faith and obedience necessary as fundamentals to the very being of the church, being both joined together by our Saviour, as the rock on which his church should be built. For, as he says of faith, "Upon this rock will I build my church, and the gates of hell shall not prevail against it," Matt. xvi. 18; so he says of obedience to his laws, "Whosoever heareth these sayings of mine, and doeth them, I will liken him to a wise man, which built his house upon a rock: and the rain descended, and the floods came, and the winds blew, and beat upon that house; and it fell not: for it was founded upon a rock. But every one that heareth these sayings of mine, and doeth them not, shall be likened unto a foolish man, which built his house upon the sand: and the rain descended, and the floods came, and the winds blew, and beat upon that house; and it fell: and great was the fall of it," Matt. vii. 24—27. St. Luke, in relating the same passage, words it thus: "He that heareth, and doeth not, is like a man that without a foundation built a house upon the earth; against which the stream did beat vehemently, and immediately it fell; and the ruin of that house was great," Luke vi. 49. So that obedience, as well as faith, is part of that foundation upon which the church of Christ is built: and he that retains not the unity of obedience, wants an essential part of its foundation, and is not a real, living member of Christ's mystical body; but only a broken or withered branch of it. In regard to which, our Saviour says in another place, "Whosoever shall break one of these least commandments, and shall teach men so, he shall be called least in the kingdom of heaven," Matt. v. 19.

Upon this account, when he sent his apostles to teach all nations, he enjoined them two things: First, "To baptize them in the name," or faith, "of the Father, and of the Son, and of the Holy Ghost:" and secondly, "To teach them to observe all things whatsoever he had commanded them," Matt. xxviii. 20. And for the same reason the ancient church never admitted any persons to baptism (which was the ordinary door of admitting proselytes, and uniting them as members to the body of the church) without first obliging them to do these two things: First, To make profession of the primary articles of the Christian faith; and secondly, To promise, or bind themselves by a strict engagement and vow, to live in holy obedience to the laws and institutions of Christ. As I have fully showed in a former Book,[3] treating of the necessary conditions required of men before their baptism. Where I have par-

[1] Claget of Church Unity, p. 196.
[2] Vide Aug. de Unit. Eccles. cap. 21.
[3] Book XI. chap. 7. sect. 6.

ticularly remarked out of St. Austin, that he wrote that excellent book, De Fide et Operibus, to show the necessity of obedience and good works, as well as faith, to the being of a Christian: against some who pretended, That the profession of faith in Christ, and not the profession of obedience to his laws, was necessarily to be required of men, in order to unite them as Christians to the body of the church by baptism. They said, Men were to be baptized, and united to the church, so long as they kept the foundation of faith entire, whatever wicked works they built thereupon: for these would be purged away by certain punishments of fire, and they would obtain salvation at the last by virtue of the foundation, which they retained. To which St. Austin replies, That this was a false interpretation of the apostle's meaning; and that, however these men were so impudent, as to charge the church's practice with novelty; yet it was always a firm custom obtaining in the church, to reject professed workers of iniquity from baptism, and constantly refuse them the communion of the church: and this was grounded upon the rules of ancient truth, which manifestly declared, "That they which do such things, shall not inherit the kingdom of God." Since therefore both faith and obedience were reckoned essentially necessary to baptism, they must be concluded equally necessary to preserve men in the real and perfect unity of the church; unless we could suppose, that any thing was necessary to make a man a Christian, that was not necessary to make or keep him a member of the church.

If it be now inquired, What articles of faith and what points of practice were reckoned thus fundamental, or essential to the very being of a Christian, and the union of many Christians into one body or church? the ancients are very plain in resolving this. For as to fundamental articles of faith, the church had them always collected or summed up out of Scripture in her creeds, the profession of which were ever esteemed both necessary on the one hand, and sufficient on the other, in order to the admission of members into the church by baptism; and, consequently, both necessary and sufficient to keep men in the unity of the church, so far as concerns the unity of faith generally required of all Christians, to make them one body and one church of believers. Upon this account, as I have had occasion to show in a former Book,[4] the creed was commonly called by the ancients the *κανὼν* and *regula fidei*, because it was the known standard or rule of faith, by which orthodoxy and heresy were judged and examined. If a man adhered to this rule, he was deemed an orthodox Christian, and in the union of the catholic faith: but if he deviated from it in any point, he was esteemed as one that had cut himself off, and separated from the communion of the church, by entertaining heretical opinions, and deserting the common faith. Thus the fathers in the council of Antioch[5] charge Paulus Samosatensis with departing from the rule or canon, meaning the creed, the rule of faith, because he denied the Divinity of Christ. Irenæus[6] calls it the unalterable canon or rule of faith. And says,[7] This faith was the same in all the world; men professed it with one heart and one soul: for though there were different dialects in the world, yet the power of the faith was one and the same. The churches in Germany had no other faith or tradition, than those in Spain, or in France, or in the East, or Egypt, or Libya. Nor did the most eloquent ruler of the church say any more than this; for no one was above his Master; nor the weakest diminish any thing of this tradition. For the faith being one and the same, he that said most of it, could not enlarge it; nor he that said least, take any thing from it. So Tertullian says,[8] There is one rule of faith only, which admits of no change or alteration, that which teaches us "to believe in one God Almighty, the Maker of the world, and in Jesus Christ his Son," &c. This rule, he says,[9] was instituted by Christ himself, and there were no disputes in the church about it, but such as heretics brought in, or such as made heretics. To know nothing beyond this, was to know all things. This faith[10] was the rule of believing from the beginning of the gospel; and the antiquity of it was sufficiently demonstrated by the novelty of heresies, which were but of yesterday's standing in comparison of it. Cyprian says,[11] it was the law which the whole catholic church held, and that the Novatians themselves baptized into the same creed, though they differed about the sense of the article relating to the church. Therefore Novatian, in his book of the Trinity,[12] makes no scruple to give the creed the same name, *regula veritatis*, the rule of truth. And St. Jerom,[13] after the same manner, disputing against the errors of the Montanists, says, The first thing they differed about, was the rule of faith. For the church believed the Father, Son, and Holy Ghost to be each distinct in his own person, though united in substance: but the Montanists, following the doctrine of Sabellius, contracted the Trinity into one person. From all which it is evident, that the fundamental

[4] Book X. chap. 3. sect. 2.
[5] Epist. Conc. Ant. ap. Euseb. lib. 2. c. 30.
[6] Iren. lib. 1. cap. 1. p. 44.
[7] Ibid. cap. 3.
[8] Tertul. de Veland. Virgin. cap. 1.
[9] Idem, de Præscript. advers. Hæreticos, cap. 13.
[10] Idem, cont. Prax. cap. 2.
[11] Cypr. Ep. 69. al. 76. ad Magnum, p. 183.
[12] Novatian. de Trinit. cap. 1 et 9.
[13] Hieron. Ep. 54. ad Marcellam.

articles of faith were those which the primitive church summed up in her creeds, in the profession of which she admitted men as members into the unity of her body by baptism; and if any deserted or corrupted this faith, they were no longer reputed Christians, but heretics, who brake the unity of the church by breaking the unity of the faith, though they had otherwise made no further separation from her communion. For, as Clemens Alexandrinus[13] says out of Hermes Pastor, faith is the virtue that binds and unites the church together. Whence Hegesippus, the ancient historian, giving an account of the old heretics, says,[14] They divided the unity of the church by pernicious speeches against God and his Christ; that is, by denying some of the prime, fundamental articles of faith. He that makes a breach upon any one of these, cannot maintain the unity of the church, nor his own character as a Christian. We ought therefore, says Cyprian,[15] in all things to hold the unity of the catholic church, and not to yield in any thing to the enemies of faith and truth. For he cannot[16] be thought a Christian, who continues not in the truth of Christ's gospel and faith. If men be heretics, says Tertullian,[17] they cannot be Christians. The like is said by Lactantius, and Jerom, and Athanasius, and Hilary, and many others of the ancients, whose sense upon this matter I have fully represented[18] in another place. As therefore there was a unity of faith, necessary to be maintained in certain fundamental articles in order to make a man a Christian: so these articles were always to be found in the church's creeds; the profession of which was esteemed keeping the unity of the faith; and deviating in any point from them, was esteemed a breach of that one faith, and a virtual departing from the unity of the church.

As to the other points of obedience to the laws and institutions of Christ, which were reckoned fundamental and essential to the being of a Christian and the unity of the church, they were generally summed up in those short forms of renouncing the devil, and his service, and his works, and covenanting with Christ to live by the rules of his gospel. By which they understood the renouncing all gross sins, such as idolatry, witchcraft, murder, injustice, intemperance, uncleanness, and whatever might be called worldly and fleshly lusts, contrary to the general tenor of the gospel, and the grace of God which had appeared unto all men, teaching us, "that denying ungodliness and worldly lusts, we should live soberly, righteously, and godly in this present world." They that walked after this rule, and squared their lives by these general measures and lines of duty; "adding to their faith virtue, and to virtue knowledge, and to knowledge temperance, and to temperance patience, and to patience godliness, and to godliness brotherly kindness, and to brotherly kindness charity;" these were the true Israel of God, and in the perfect unity of his church: as long as they did these things, they could never fall; nothing could separate them from his church, or from the love of God in Christ Jesus; "for so an entrance was ministered to them abundantly into the everlasting kingdom of our Lord and Saviour Jesus Christ." But if men went contrary to this rule, "walking in the works of the flesh, and not of the Spirit; professing to know God, but in works denying him;" though they might be corporeally and externally united to the visible body of the church, yet internally and spiritually they were divided from it. St. Austin says expressly,[19] That though men were regenerated by baptism, yet none but the good were spiritually built up into the body and members of Christ: the good only compose that church, of which it is said, "As the lily among thorns, so is my love among the daughters," Cant. ii. 2. That church consists only of those who build upon the rock, that is, who hear the words of Christ, and do them. They therefore are not of that church, who build upon the sand, that is, who hear the words of Christ, and do them not. And as they who, by the ligaments of charity, are incorporated into the building that is founded upon the rock, and into the lily that shines among thorns, "shall inherit the kingdom of God;" so they who build upon the sand, and are numbered among the thorns, shall as certainly not "inherit the kingdom of God." A little after,[20] reciting those words of the apostle, Gal. v., "The works of the flesh are manifest, which are these, adultery, fornication, uncleanness, lasciviousness, idolatry, witchcraft, hatred, variance, emulations, wrath, strife, seditions, heresies, envyings, murders, drunkenness,

[13] Clem. Strom. lib. 2. p. 454. Edit. Oxon. Ἡ συνέχουσα τὴν ἐκκλησίαν ἀρετὴ, ἡ πίστις ἐστι. Hermes Pastor, lib. 1. Vision. 3. cap. 8. Prima earum, quæ turrim, (nempe ecclesiam,) continet manu, Fides vocatur: per hanc salvi fiunt electi Dei, &c.

[14] Hegesip. ap. Euseb. lib. 4. cap. 22. Ἐμέρισαν τὴν ἕνωσιν τῆς ἐκκλησίας φθοριμαίοις λόγοις κατὰ τοῦ Θεοῦ, κ.τ.λ.

[15] Cypr. Ep. 71. ad Quintum, p. 194. Per omnia debemus ecclesiæ catholicæ unitatem tenere, nec in aliquo fidei et veritatis hostibus cedere.

[16] Cypr. de Unit. Eccles. p. 114. Nec Christianus videri potest, qui non permanet in evangelii ejus et fidei veritate.

[17] Tertul. de Præscript. cap. 37. Si hæretici sunt, Christiani esse non possunt.

[18] Book I. chap. 3. sect. 4.

[19] Aug. de Unit. Eccles. cap. 21. Nec regenerati spiritaliter in corpus et membra Christi coædificentur nisi boni · profecto in bonis est illa ecclesia, cui dicitur, Sicut lilium in medio spinarum, ita proxima mea in medio filiarum. In his est enim qui ædificant super petram, id est, qui audiunt verba Christi, et faciunt.——Non est ergo in eis, qui ædificant super arenam, id est, qui audiunt verba Christi, et non faciunt, &c.

[20] Ibid. cap. 22.

revellings, and such like; of the which I tell you before, as I have also told you in time past, that they which do such things shall not inherit the kingdom of God;" he adds, All those are not in the lily, nor upon the rock, and heretics are in that number. Again, speaking of the grace of the Spirit, which sanctifies good men, he says, This is wanting in all the wicked, and sons of hell, although they be baptized[21] with the baptism of Christ, as Simon Magus was baptized. There are many such[22] who communicate in the sacraments with the church, and yet they are not now in the church. Such are cut off, before they be visibly excommunicated: and if they be visibly excommunicated, and visibly restored to communion; if they come with a feigned mind, and a heart opposing the truth and the church, they are not reconciled, they are not inserted into the church, although the solemnity of reconciliation be performed upon them. In another place he says,[23] The wicked multitude of the church are not reckoned to be in the church, save only so far as they have the same sacraments in common with the saints, because they have only a form of godliness, but deny the power of it. He repeats the same frequently in his books against Cresconius,[24] and other places, which it is needless here to repeat at length. I only observe, that as charity was reckoned one essential part of a Christian's virtue; (our Saviour having made it the characteristic note of his disciples, "By this shall all men know that ye are my disciples, if ye have love one for another;") so the ancients laid a great stress upon this one virtue, without which they never reputed any man to be truly in the unity of the church, whatever claim he could otherwise lay to the communion of it.

Sect. 2. Of the unity of love and charity, as an essential part of Christian obedience.

I do not think any man, says St. Austin,[25] so vain and foolish, as to believe such a one to appertain to the unity of the church, who has not charity. For St. James, speaking against those who thought it sufficient to believe, but would not do good works, says, "Thou believest that there is one God; thou doest well: the devils also believe and tremble." Certainly the devils are not in the unity of the church; and yet we cannot say they believe otherwise of Christ than the church believes, seeing they said to the Lord Jesus Christ himself, "What have we to do with thee, thou Son of God?" And St. Paul says, "Though I have all faith, so that I could remove mountains, and have not charity, I am nothing." They that are enemies to this brotherly charity, says St. Austin again,[26] whether they are openly out of the church, or seem to be within, they are false Christians, and antichrists. When they seem to be within, they are separated from that invisible union or bond of charity. Whence St. John says of them, "They went out from us; but they were not of us." He does not say, they were made aliens by going out, but because they were aliens before, he declares, that therefore they went out. This charity was necessary to incorporate men into that building,[27] which was founded upon the rock of obedience, without which it could not stand: to uphold the structure, charity was required as a principal part of the foundation, whereupon the whole building rested, being fitly framed together, and united by charity into one, as members of the mystical body of Christ.

Sect. 3. Other sorts of unity, necessary to the well-being of the church.

After this manner the ancients commonly discoursed of these sorts of unity, which I call fundamental to the very being of a church; being so absolutely necessary and essential, as that the church could not consist without them. They were necessary to every individual, and necessary in all cases and circumstances whatsoever: there being no case in which it was lawful to deny the faith; nor any case that could dispense with a man's obligations to sobriety, godliness, righteousness, and charity. There were other sorts of unity, necessary indeed to the well-being of the church, but yet not so absolutely essential, but that a man in some extraordinary cases and circumstances might be incapacitated or hindered in the actual performance of them, without incurring the censure of breaking the unity of the church, or being wholly excluded out of her communion. It is every Christian's duty to unite himself to the church by baptism, and to receive it from the hands of a regular ministry; it is his duty to join in communion with the church where he lives, and assemble with them for worship and prayers, and administration of the word and sacraments, and all other holy offices; it is his duty to live under the government of a regular and lawful ministry, and submit himself to

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[21] Aug. de Unit. Eccles. cap. 23. Hoc deest omnibus malignis et Gehennæ filiis, etiamsi Christi baptismo baptizentur, sicut Simon fuerat baptizatus.

[22] Ibid. cap. 25. Multi tales sunt in sacramentorum communione cum ecclesia, et tamen jam non sunt in ecclesia, &c.

[23] Ibid. cap. 13. Sermo divinus redarguit impias turbas ecclesiæ, quæ nec in ecclesia deputantur, &c.

[24] Aug. cont. Crescon. lib. 1. cap. 29. lib. 2. cap. 15, 21, 33, 34. Qui cum sint a bonis vita moribusque spiritaliter separati, corporaliter tamen eis in ecclesia videntur esse permixti usque in diem judicii.

[25] Ibid. lib. 1. cap. 29. Non autem existimo quenquam ita desipere, ut credat ad ecclesiæ pertinere unitatem eum, qui non habeat charitatem, &c.

[26] Aug. de Bapt. lib. 3. cap. 19. Hujus autem fraternæ charitatis inimici, sive aperte foris sint, sive intus esse videantur, pseudo-Christiani sunt et antichristi.—Cum intus videntur, ab illa invisibili charitatis compage separati sunt, &c.

[27] Vid. Aug. de Unit. cap. 21. Compage charitatis incorporati sunt ædificio super petram constituto.

all the rules of the church in worship and discipline, that are not contrary or repugnant to the word of God: but then it may happen, that a man cannot have baptism, though he be never so desirous of it; sudden death may prevent him, whilst he is seriously preparing for it. In this case, the church did not deny him her communion, though he was never formally entered into it, but accepted the will for the deed, and treated him after death as one of her sons dying in her bosom and communion. Which was the case of many martyrs, and others dying without baptism, not out of contempt, but by the exigence of some unforeseen accident preventing them. So, again, it might happen, that a man in extremity, when he was desirous of baptism, could not have it but from the hands of a heretic, or a layman. In this case, the church was equally favourable to the party so baptized, because he was united in heart and will to the church, and it was not contempt of her ministry, but necessity, that drove him to receive baptism from a heretic or a layman, rather than die without it. In like manner, a man that was very desirous to join with the church in her public assemblies, might notwithstanding, by some great exigence, be debarred from this privilege, as by sickness, or imprisonment, or banishment: in which case he was not divided from the communion of the church in worship or prayers; but his spirit was still present in her religious assemblies, though necessity obliged him in body to be absent from them. Or if it were but the care of the indigent that required his help, and kept him away from the solemn meeting in God's house, his reason was good, and such an act was no breach of Christian unity, because God himself allows it; nay, requires it by his own rule, "I will have mercy, and not sacrifice:" which in such cases, where men act sincerely, and trifle not with God, is always their justification both before God and his church. It was further required, that men should comply with all the innocent customs and lawful orders of the church; and especially submit to her discipline in case of any scandalous transgression or immorality: but if men by reason of sickness, or infirmity, or old age, could not observe her rules about fasting; or by reason of their poverty could not abstain from their ordinary labour to attend her festivals; these were not reckoned transgressions of her rules or good order, because they naturally admitted of such limitations and exceptions; and no man was accused as a divider of the church's unity for going against her customs in such cases. So, though it was required that penitents under discipline should be reconciled to the church by imposition of hands and absolution; yet if any real penitent, who was desirous of absolution, happened to be struck dumb, or die before he could receive it, this was reckoned no prejudice to his condition: in this case, his good-will, and desire, and intention of being reconciled, was reputed sufficient to restore him to the peace and unity of the church, though he wanted the formality of an external absolution.

This was the great difference between those sorts of unity which were reckoned fundamental, and essential to the very being of a church, and those which were required as necessary to the well-being of it: the former admitted of no dispensations, but the latter did in these and the like cases. No case could dispense with a man's putting away a good conscience, or making shipwreck of faith: no necessity could be so great as to justify a man in denying an essential or fundamental truth, or in living in open and professed violation of those necessary rules and great lines of duty, which require the practice of universal holiness in a godly, righteous, sober life, as the indispensable condition of salvation: but several necessities might dispense with men in the non-observance of the things of the latter kind; and therefore it is of great use carefully to distinguish these things in speaking of the unity of the church. As, therefore, I have spoken particularly of the former, so I will now speak a little more distinctly of these latter, and show how far the ancients urged the necessity of them.

Sect. 4. Among these they reckoned, 1st, The necessary use of one baptism, ordinarily to be administered by the hands of a regular ministry.

And here first of all they required, that men should unite themselves to the church by baptism; and that administered but once; and this also to be administered ordinarily by the hands of a regular ministry, except some urgent necessity obliged them to do otherwise. The necessity of baptism they urged from the tenor of the commission given to the apostles, "Go, baptize all nations;" and from those words of our Saviour, John iii. 5, "Except a man be born of water and the Spirit, he cannot enter into the kingdom of God." There were many heretics, who contemned the use of water baptism, as a carnal ordinance, and wholly denied the necessity of it to salvation in any case whatsoever, of whom I have given a particular account[28] in a former Book. Against these they urged the necessity of baptism in all ordinary cases, to make men members of the church; and strenuously maintained, that men who wilfully neglected or despised baptism, could not by any other means be united to the church of Christ, or have any grounds for hope of eternal life; because they despised that ordinance of Christ, which he had made the regular and ordinary way of admitting members into his church, and refused to enter by that door,

[28] Book XI. chap. 2.

which he had appointed to be the general entrance to eternal life. This opinion of the ancients concerning the necessity of baptism in all ordinary cases, maintained against those several heresies, the reader may find fully discoursed in a foregoing part of this work;[29] where I observed, that though they strictly urged the necessity of baptism in order to make men members of the church and sons of God; expressing themselves severely against all that either carelessly neglected it, or profanely despised it; yet they did not believe it to be so simply and absolutely necessary as the unity of faith and repentance: because they always maintained, that the bare want of baptism, where there was no contempt, might be supplied by martyrdom; where the exhibiting of faith, and the greatest testimony of obedience that could be given, was sufficient to unite them to Christ and his church in that case, and grant them all the privileges of Christian communion. And the like was determined concerning the faith and repentance of such catechumens, as were piously preparing for baptism, but were snatched away by sudden death before they had any opportunity to receive it. Which shows, that they put a manifest difference between the unity of faith and obedience, as fundamental and essential to the very being of a church, the want of which nothing could supply; and the unity of baptism, which, though ordinarily necessary to the well-being of the church, yet was not so absolutely necessary and essential, but that the want of it might be supplied in some cases by faith and obedience; and by these a martyr or a pious catechumen might be presumed to die in the unity of the church without baptism, when they had no opportunity to receive it.

The form of baptism itself indeed, whenever it was administered, was a little more necessary, because that implied a profession of faith in the holy Trinity, and universal obedience to the laws of Christ; and therefore baptism administered in any other form was reputed null and void even in the church itself, and was of necessity to be repeated: but then this necessity did not arise from the bare necessity of baptism, (which might, as we have heard, be dispensed with in some cases,) but from the necessity of faith and obedience, presupposed as antecedent qualifications, essential to the very being of a church and the character of a Christian in the largest denomination. So that what made this so absolutely necessary, was not the absolute necessity of baptism itself, which might be dispensed with in some extraordinary cases, where those qualifications were really in the hearts of men before baptism: but it was the want of those qualifications, or at least the want of professing them in due form, that made the baptism void; because there was a strong presumption, that they had not those qualifications that were essential to the very being of a Christian, since no profession of them was made in their baptism. For which reason, whether it was given in the church or out of the church, it was always to be repeated, as a thing null and void, for want of those qualifications of faith and obedience, which were so indispensably required to make a man a Christian.

It was necessary also to the unity of the church in its well-being, that baptism should ordinarily be administered only by the hands of a regular ministry: and therefore for either laymen without a commission in the church to usurp this authority, or for heretics and schismatics without the church to assume this power, was always esteemed a great breach of the church's unity. And though the church did not always annul such baptisms, if given in due form of words; yet she always condemned the thing as a usurpation, and an act of criminal schism, and manifest prevarication both in the giver and voluntary receiver. Insomuch that one of the ancient councils[30] orders, That if any catholic offered his children to be baptized by heretics, his oblation should not be received in the church. This was in effect to punish him with excommunication, as an encourager of heretics, and a divider of the unity of the church. And St. Jerom says[31] to the same purpose, If a man who is orthodox in his own faith, is wittingly and willingly baptized by heretics, he deserves no pardon for his crime. But then it might happen, that a man in extremity might be so distressed as to have none but a heretic to baptize him; in which case, to receive baptism from the hands of a heretic or schismatic, was reckoned no breach of catholic unity, because the man in heart and mind was still united to the catholic church. This is St. Austin's[32] resolution of the case. If a man, says he, is compelled by extreme necessity, where he cannot have a catholic to give him baptism, to take it at the hands of one who is not in catholic unity; in that case, we reckon him no other than a catholic still, though he died immediately, because he was in heart and mind a catholic, and would have been baptized in catholic unity, if there had been any opportunity to have done it.

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[29] Book X. chap. 2. sect. 19.

[30] Conc. Ilerdense, can. 13. Catholicus qui filios suos in hæresi baptizandos obtulerit, oblatio illius in ecclesia nullatenus recipiatur.

[31] Hieron. Dial. cum Lucifer. cap. 5. Si jam ipse bene credebat, et sciens ab hæreticis baptizatus est, erroris veniam non meretur.

[32] Aug. de Bapt. lib. 1. cap. 2. Si quem forte coegerit extrema necessitas, ubi catholicum per quem accipiat non invenerit, et in animo pace catholica custodita, per aliquem extra catholicam unitatem acceperit, quod erat in ipsa catholica unitate accepturus, si statim etiam de hac vita migraverit, non eum nisi catholicum deputamus, &c.

If such a one survives, and corporeally joins himself to the catholic congregation, from which in heart he never departed, we not only not disallow what he has done, but securely and truly commend him for it; because he believed God to be present in his heart, where he preserved unity, and would not depart out of this life without the sacrament of baptism, which he knew to be God's, and not men's, wheresoever he found it. But if any one, when he might receive it in the catholic church, by some perverseness of mind chooses rather to be baptized in schism, though he afterward design to return to the church, because he is certain the sacrament will profit him in the church, but not elsewhere, though he may receive it elsewhere; this is a perverse and wicked man, and so much the more perniciously such, by how much the more knowing he is. In another place he proposes the same question, whether a catholic, without breach of unity, might receive baptism from a schismatic? And he answers[83] it after the same manner, That he may safely receive it of a separatist, if he himself be no separatist when he receives it; for so it often happens to men who have a catholic mind, and a heart no ways alienated from the unity of peace, that in extreme necessity and imminent danger of death they light upon some heretic, and receive the baptism of Christ at his hands, but not with the perverseness or heretical pravity of the administrator. For whether they die or live, they do not remain among heretics, to whom in heart they never went over. So, again, distinguishing baptized persons into three sorts; first, Such as are baptized in the house of God, and are truly and spiritually of the house of God; secondly, Such as are baptized in the house of God, but are spiritually by wicked works separated from it; thirdly, Such as are baptized in heresy or schism, who are corporeally separated from the house of God, and worse than those who live carnally within it, and are only spiritually divided from it; he adds[84] concerning this last sort, (who are rather to be said to be of the house of God, than in it, being further separated by corporeal division than those who are only spiritually divided from it,) that they neither have baptism to any profit themselves, neither is it received with any profit from them, except where the necessity of receiving it forces a man to receive it from them, and the mind of the receiver does no ways recede from the bond of unity. By which is intimated, that to receive baptism in case of necessity from the hands of a heretic or schismatic, does not involve a man in the guilt of schism, so long as it is a case of extreme necessity, and the man in heart and mind is all the time in the unity of the catholic church.

The case was the same with those that were baptized by laymen. The rules of the church required, that none should baptize in ordinary cases, but the regular and lawful ministers of the church; and to do otherwise, was always a note of criminal schism: but in case of extremity, she granted a general commission even to laymen to baptize, rather than any person in such an exigence should die without baptism; and in such a case, to receive baptism from a layman, was neither usurpation nor schism in the giver or receiver, because they had the church's authority for the action. I produce no proofs or evidence for this here, because I have done it fully in a separate discourse before, treating historically of the practice of the church in reference to her allowance of baptism administered by laymen, in cases extraordinary, when men were in apparent danger of death, and could not have a minister to baptize them.

In all these cases, we see, nothing but extreme necessity could excuse men from criminal schism, in dividing themselves from the church, either by the neglect of baptism, or seeking to heretics, or schismatics, or laymen, for the administration of it. And the like is to be said of any man's suffering himself to be rebaptized, after he had once received a true baptism, whether in the church or out of it. For the unity of baptism was such that it was never to be repeated. The greatest apostates were never rebaptized by the catholic church upon their admission again, but taken in by imposition of hands and absolution upon their repentance. Neither did the church ever rebaptize those that were baptized in heresy or schism, except when some doubt was made whether the baptism was defective in some essential part of it. And therefore, because many heretics were inclined to rebaptize the catholics, very severe laws were made, both in church and state, to repress this insolence; of which I have given a particular account in handling the subject[85] of baptism heretofore, and need only now observe, that this practice of rebaptizing was always esteemed a schismatical act, and a notorious breach of catholic unity, which never allowed of more than one baptism, according to that rule of the apostle, "One Lord, one faith, one baptism," in the church, as many of the ancients expound it, or at least, because by the Divine will it was so appointed.

[83] Aug. de Bapt. lib. 6. cap. 5. Potest salubriter accipere a separato, si ipse non separatus accipiat: sicut plerisque accidit, ut catholico animo et corde ab unitate pacis non alienato, aliqua necessitate mortis urgentis in aliquem hæreticum irruerent, et ab eo Christi baptismum sine illius perversitate acciperent, &c.

[84] Id. de Bapt. lib. 7. cap. 52. Qui autem separatiores non magis in domo quam ex domo sunt, neque omnino utiliter habent, neque ab eis utiliter accipitur, nisi forte accipiendi necessitas urgeat, et accipientis animus ab unitatis vinculo non recedat.

[85] Book XII. chap. 5. sect. 7.

Sect. 5. 2dly, The unity of worship, in joining with the church in prayers, and administration of the word and sacraments.

2. Another sort of unity, requisite to the well-being of the church, was the unity of worship, whereby all Christians were obliged to join with their respective churches in the performance of all holy offices in public; such as common prayer, and the administration of the word and sacraments. Which did not require that all churches should exactly agree in the same form of words, which were not essential to these things: (for, as we shall presently see, every church was at liberty to make choice for herself, in what method and form of words she would perform these things; and it was no breach of unity for different churches to have different modes, and circumstances, and ceremonies, in performing the same holy offices, so long as they kept to the substance of the institution:) but that which was required to keep the unity of the church in these matters, was, that every particular member of any church should comply with the particular customs and usages of his own church, (nothing being inserted into her offices that was unlawful,) and meet for religious worship, and hold constant communion with her in the performance of all Divine service. And to do otherwise, either by neglecting wholly the service of religious assemblies, or setting up opposite communions, or raising unnecessary disputes about the lawful usages and innocent practices of the church whereof a man was a member, was always esteemed an act of criminal schism, as giving scandal and offence to the church and his brethren. There are several canons in the council of Gangra, made against the separatists called Eustathians, directly to this purpose. The fourth canon runs thus: "If any one separate from a married presbyter, upon pretence that it is unlawful to partake of the oblation when he performs the liturgy, or celebrates the office of communion, let him be anathema, that is, declared excommunicate, or cut off from the church." The fifth canon is to the same effect: "If any one teach, that the house of God, and the assemblies held therein, are to be despised, let him be anathema." The sixth forbids all private and irregular assemblies: "If any hold other assemblies privately out of the church, and, contemning the church, will have ecclesiastical offices performed without a presbyter licensed by the bishop, let him be anathema." The eleventh censures those in like manner, who despised the feasts of charity, made in honour of the Lord, refusing to partake of them. The eighteenth censures such as fasted on the Lord's day, under pretence of leading an ascetic life; this being a thing contrary to the general rule and custom of the church. The nineteenth, on the other hand, censures such ascetics, as without the excuse of bodily infirmity, out of mere pride, contemptuously broke the common fasts handed down by tradition to be observed in the church. And the twentieth canon anathematizes those who, from an insolent disposition, contemned the assemblies that were wont to be held in the churches of the martyrs, and the service performed there, and the commemorations of them. Among the Apostolical Canons there is one to the same purpose, which orders,[36] "That if any presbyter, despising his bishop, gather a separate congregation, and erect another altar, having nothing to object against his bishop in point of godliness or righteousness, he should be deposed, as a lover of pre-eminence, and arbitrary power or tyranny in the church." And if any of the clergy conspired with him, they were likewise to be deposed, and laymen to be suspended from the communion, after a third admonition given them from the bishop. These were some of the ancient rules relating to separatists dividing wholly from the church, and refusing contemptuously to communicate with her in Divine service. And for such as frequented some part of the service, but fell off from the rest, she set an equal mark of reproach upon them, as disobedient children also. One of the Apostolical Canons[37] orders all communicants, who came to church to hear the Scriptures read, but did not stay to join in prayers and receiving the eucharist, to be suspended, as authors of confusion and disorder in the church. And the council of Antioch[38] repeats and re-enforces this canon. The council of Eliberis[39] forbids the bishop to receive the oblations of such as did not communicate: which was, in effect, to cut them off from communion with the church, for the neglect of that principal part of Divine service. The same council, in another canon,[40] orders, "That if any one, being at home in his own city, did, for three Lord's days together, absent himself from church, he should be suspended from the communion for an equal term, that he might be made sensible of his crime by the church's censure." The council of Sardica, not long after, made a decree to the same purpose, referring to some former canon that had been made upon this matter, which, though some learned men are at a loss to know what canon it was, seems plainly to be this canon of the council of Eliberis. For Hosius, bishop of Corduba, was present at both these councils, and presided in that of Sardica, which makes it probable, that he referred to the canon of Eliberis, when he proposed it to the fathers at Sardica, for their consent and approbation. For the council of Sardica[41] repeats a

[36] Can. Apost. 31. [37] Ibid. 7. [38] Conc. Antioch. can. 2.
[39] Conc. Eliber. can. 28. Vid. Conc. Tolet. 1. can. 13.
[40] Conc. Eliber. can. 21. Si quis in civitate positus, tres Dominicas ecclesiam non accesserit, tanto tempore abstineat, ut correptus esse videatur.
[41] Conc. Sardic. can. 11.

canon made in some former council, importing, That a layman absenting from church for three Lord's days together, without just cause or impediment, was to be excommunicated for his transgression. And the same is repeated[42] in the council of Trullo. So careful was the church to preserve her members in the unity of Divine worship, and discountenance all separatists, whether partial or total, that an occasional communicant was liable to censure as well as any other.

But then there were some necessary reasons, that might justly excuse a man from this duty of constant communion with his own church. As if a man was in a journey, the very nature of the thing was his excuse; for he could not communicate with his own church in such a necessity, and therefore the council of Trullo delivers the rule with that limitation. If a man was sick and infirm, his infirmity was such an impediment, as all laws, both human and Divine, would allow of as a reasonable cause of absenting. And the same reason would excuse his non-observance of the severe fasts of the church, which were imposed upon none but those that were able to bear them, as appears from the forecited canon[43] of the council of Gangra. The stationary days of fasting and prayer were chiefly designed for the exercise of religious ascetics, those who had both strength and leisure to attend them: and therefore an infirm man, or a poor man, who was to live by his bodily labour, was under no obligation to spend so much time in those ordinary returns of fasting and prayer. If he communicated with the church religiously on the Lord's day, his omissions of the rest were not imputed to him as breaking communion with the church. If men were in prison or in banishment, the necessity of their confinement was their natural excuse. For how should they join bodily in communion with the church, who had not the liberty of their own bodies, whilst they were entirely at the mercy and disposal of others? It was sufficient for them in such a case to join in spirit, when they could not in bodily presence; and to say with David, "As the hart panteth after the water-brooks, so panteth my soul after thee, O God. My soul thirsteth for God, for the living God: when shall I come and appear before God?" Psal. xlii. 1. And, "Woe is me, that I am constrained to dwell with Mesech, and to have my habitation among the tents of Kedar," Psal. cxx. 5. "O God, my soul thirsteth for thee, my flesh longeth after thee, in a dry and thirsty land, where no water is; to see thy power and glory, so as I have seen thee in the sanctuary," Psal. lxiii. 1. It was their misfortune, and not their crime, in that case, to be absent from the house of God: meanwhile the whole world was to them the temple of God; "For the earth is the Lord's, and the fulness thereof:" their prison was their oratory, and the wilderness a sanctuary; their own hearts a sacrifice, and their own bodies an altar. When Lucian the martyr made use of his own breast in chains instead of a communion table to offer the eucharist on, his sacrifice was as acceptable to God, as if it had been in the midst of the church upon an altar. For, as St. Basil words it,[44] in such a case it is not the place, but the mind and affection of the supplicant, that God regards. Moses was heard in the bottom of the sea, Job upon a dunghill, Ezekias in his bed, Jeremy in the dungeon, Jonas in the whale's belly, Daniel in the lions' den, the three children in the burning fiery furnace, the penitent thief upon the cross, and Peter and Paul in prison. Every place, says Dionysius[45] of Alexandria, is instead of a temple in time of persecution, whether it be a field, or a wilderness, or a ship, or an inn, or a prison. There is a great difference to be made between necessity and contempt. If a man voluntarily absents himself from the assemblies of the church, when he may enjoy them, he is a divider of her unity, by contemning her service; but if necessity obliges him to be absent, when he is desirous to be present, he is spiritually present with her even whilst he is absent in body: which is as much preserving her unity, as his case will allow, or the church can require; seeing this sort of unity is not simply essential to the being of a church in all states, but only necessary to her well-being in peaceable times and ordinary cases. And happy would it be for the church, if men would never deny themselves the benefit of her communion in religious assemblies, but upon such reasons of necessity, which carry their own apology at first sight in their very nature: if they were merely passive, and not active in their separation, such a separation would not involve them in the guilt of schism, being so rationally to be accounted for both before God and his church. The primitive church was exceeding happy in these two things (which relate to this sort of unity in communion, the want of which is so much to be lamented both in its causes and effects in this unhappy divided state of the church in later ages): 1st, That no church then ever assumed to herself an authority of imposing upon her members any things unlawful, or contrary to the word of God, either in faith or practice, as necessary terms of communion. They required no belief of any articles of faith, as necessary to salvation, but such as were contained in their common creeds, and founded upon the infallible authority of Scripture. They inserted nothing into their public forms

[42] Conc. Trull. can. 80.
[43] Conc. Gangren. can. 19.

[44] Basil. Exhort. ad Baptism. et alii ap. Durant. de Ritibus, lib. 1. cap. 2.
[45] Ap. Euseb. lib. 7. cap. 22.

of worship, repugnant to the word of God, or intrenching upon any Divine rule given in Scripture about the object, or matter, or manner of adoration, as any one may perceive, by considering the account that has been given of their public worship and liturgy in the three last Books, where we examined every particular office of it. Things being thus secured for the substance of their worship, all Christian people in the next place thought it their duty to submit to the wisdom and prudence of their governors in establishing things external and circumstantial, relating to expedience, edification, and good order. And this was the second thing to be admired in the economy of the ancient church, that the people never had any dispute with their superiors about matters of this kind, but left all indifferent things, and things of expedience, decency, circumstance, and form, to the judgment and choice of their governors, or persons invested with authority to determine such matters; readily complying with the innocent customs of the church, and all the rules of public order, and never dividing into sects and parties upon the account of rites and ceremonies, though differently practised in different churches. This was according to the wise and peaceable rule laid down by St. Austin in his advice to Casulanus: In those things,[46] says he, concerning which the Holy Scripture has given no positive direction, the custom of the people of God, or the rules of our ancestors or superiors, are to be taken for a law. He instances in the custom of the church never to fast on the Lord's day, which was become so much a rule, that whoever should pretend to introduce the contrary custom, to make it a fast, should be thought to give great scandal to the church, and that not without good reason. Nay, he says, it would be to offend God, so to scandalize the universal church by holding a fast on the Lord's day; especially since it was become the practice of the impious Manichees so to fast in opposition to the church. The Saturday fast was not a custom of so general observation; for some churches kept it a fast, and some a festival; but his advice as to this is much of the same nature, That a man should observe[47] the custom of every church where he happened to be, if he was minded neither to give offence to them, nor take offence from them. And this advice, he says, he had in his younger days from the mouth of St. Ambrose. But because, in such a matter as this is, it might happen, that not only different churches might practise differently, but also the members of the same church might differ in their practice one from another without breach of communion, as it was in some of the African churches, where in one and the same church some chose to fast, others to dine upon the sabbath, his advice to Casulanus as a presbyter was,[48] to follow the custom of those who had the care and government of the churches committed to them: Resist not your bishop in such a matter as this, but follow what he does without any scruple or disputation.

Sect. 6. 3dly, The unity of subjection of presbyters and people to their bishop, and obedience to all public orders of the church in matters of an indifferent nature.

3. And this leads us to consider another sort of unity, very necessary for the well-being of the church; which was, that the clergy and people should be united under one single bishop in every church, paying a due respect to his authority, and not dividing from him, either by setting up anti-bishops against him, or withdrawing from his communion or government, or despising the public orders of his church, which were made for expedience and edification in matters of an indifferent nature. Cyprian has abundance relating to this sort of unity, considering both the state of his own and other churches. The church, he says, is a people united[49] to their bishop, and a flock adhering to their pastor. Whence he infers, that the bishop is in the church, and the church in the bishop; and that whoever are not with the bishop, are not in the church; that is, none who voluntarily withdraw from his communion, and set up others in opposition to it. To the same purpose he says again,[50] That the ordination of bishops, and the constitution of the church, came down by succession from the apostles, so as that the church stood upon its bishops, and every act of the church was regulated by their direction, as the chief governors of it. And therefore, when some lapsers wrote to him, giving themselves the name of the church, he gave

[46] Aug. Ep. 86. ad Casulan. In his enim rebus, de quibus nihil certi statuit Scriptura Divina, mos populi Dei, vel instituta majorum pro lege tenenda sunt.—Quisquis hunc diem jejunio decernendum putaverit, non parvo scandalo erit ecclesiæ, nec immerito.—Quis non Deum offendet, si velit cum scandalo totius, quæ ubique dilatata est, ecclesiæ, die Dominico jejunare?

[47] Ibid. Ad quamcunque ecclesiam veneritis, ejus morem servate, si pati scandalum non vultis, aut facere.

[48] Ibid. Sed quoniam contingit maxime in Africa, ut una ecclesia, vel unius regionis ecclesiæ, alios habeant sabbato prandentes, alios jejunantes, mos eorum mihi sequendus videtur, quibus eorum populorum congregatio regenda commissa est——Episcopo tuo in hac re noli resistere, et quod facit ipse, sine ullo scrupulo vel disceptatione sectare.

[49] Cypr. Ep. 69. al. 66. ad Florentium, p. 168. Ecclesiæ sunt plebs sacerdoti adunata, et pastori suo grex adhærens. Unde scire debes episcopum in ecclesia esse, et ecclesiam in episcopo; et si qui cum episcopo non sint, in ecclesia non esse.

[50] Cypr. Ep. 27. al. 33. ad Lapsos, p. 66. Inde per temporum et successionum vices, episcoporum ordinatio et ecclesiæ ratio decurrit, ut ecclesia super episcopos constituatur, et omnis actus ecclesiæ per eosdem præpositos gubernetur. Cum hoc itaque Divina lege fundatum sit, miror quosdam audaci temeritate sic mihi scribere voluisse, ut ecclesiæ nomine literas facerent; quando ecclesia in episcopo et clero et in omnibus stantibus sit constituta, &c.

them a very sharp answer, telling them, He could not but wonder at their temerity and boldness, that they should style themselves the church, when it was so plain by the Divine law, that a church consisted of a bishop and clergy together with a people standing firm without lapsing in time of persecution; whereas no number of lapsers could be called a church, since "God was not the God of the dead, but of the living." In another place, he severely rebukes the presumption of those presbyters, who took upon them by their own authority to reconcile lapsers without consulting him, who was the chief manager and director of the discipline of the church. This, he tells them, was to forget both the rules[51] of the gospel, and their own station; neither thinking of the future judgment of the Lord, nor the bishop that was now set over them; but assuming to themselves the whole power of discipline, both to the dishonour and contempt of their bishop, and to the detriment of their brethren's salvation. It was an ancient rule in the church, that presbyters should do no ministerial act but by the authority of their bishop, and in dependence upon and subordination to him. This I have had occasion to show at large in a former Book, out of Ignatius, Cyprian, and the ancient councils,[52] which need not here be repeated. Therefore it was always reputed a tendency toward schism, for presbyters to do any such act in contempt of their bishop, though they made no formal separation from him. But the most flagrant act of schism was, when, in despite of his authority, their factious humour and pride pushed them on to divide from his communion, and set up separate assemblies in opposition to him. This, says St. Cyprian, is the first beginning of heretics, the first rise and attempt of schismatics, men of evil dispositions, to please themselves, and with a swelling pride contemn the bishop that is set over them. The effect of which is presently to forsake the church, and set up another profane altar without, and to rebel against the peace of Christ, and the ordination and unity of God.[53] Most heresies and schisms take their birth (says he again) from this original,[54] that men refuse to submit to the bishop appointed by God, and consider not that there ought to be but one bishop at once in a church, and but one judge in the room of Christ. This he speaks particularly against those, who thought to justify their schism by setting up an anti-bishop in opposition to the true one; which did not diminish the schism, but heighten and augment it, and commonly render it more inveterate and lasting. As it was in the case of the Meletians in Egypt, and the Donatists in Africa, and the Novatians at Rome, who all carried on their schisms more powerfully by the help of anti-bishops to strengthen their party, and uphold their faction. But this was no just pretence for schism; but a manifest violation of the standing rule of the catholic church, which was, to have but one bishop in a church, as the centre of unity: and to set up another in opposition to him, was not to make another true bishop or pastor of the flock, to whom the people were obliged to join themselves as the minister of God; but to introduce a wolf, an adulterer, a sacrilegious usurper, a stranger and an alien, from whom they were obliged to fly, as from one who had no title to their obedience by any Divine appointment or allowed rule of ordination. I have more than once fully demonstrated this[55] out of the writings of Cyprian, and others of the ancients, to which it is here sufficient to refer the reader. I only note one thing out of Cyprian, which he applies particularly to the case of the Novatian schism, That to set up such an anti-bishop to head a faction,[56] was to act against the settlement of the church, the laws of the gospel, and the unity of the catholic institution: it was to make another church, to tear the members of Christ, and disjoint that one body and soul of the Lord's flock by a dividing emulation. And therefore he tells Maximus, and Nicostratus, and other confessors, who were concerned in upholding and abetting the Novatian schism, That they were not asserting the gospel of Christ, whilst they divided themselves from the flock of Christ, and were not in peace and concord with his church. It is usual with him upon this account to say, He has not God for his Father who has not the church[57] for his mother. Whoever is separated from the church, to be joined to an adulteress, is separated from the

[51] Cypr. Ep. 10. al. 16. ad Clerum, p. 36. Aliqui de presbyteris, nec evangelii, nec loci sui memores, sed neque futurum Domini judicium, neque nunc sibi præpositum episcopum cogitantes—cum contumelia et contemptu præpositi totum sibi vendicant, &c.

[52] Book II. chap. 3. sect. 2, &c.

[53] Cypr. Ep. 55. al. 3. ad Rogatian. p. 6. Hæc sunt enim initia hæreticorum, et ortus atque conatus schismaticorum male cogitantium, ut sibi placeant, et præpositum superbo tumore contemnant. Sic de ecclesia receditur, sic altare profanum foris collocatur, sic contra pacem Christi, et ordinationem atque unitatem Dei rebellatur.

[54] Ep. 55. al. 59. ad Cornel. p. 129. Neque enim aliunde hæreses obortæ sunt, aut nata sunt scandala, quam inde quod sacerdoti Dei non obtemperatur, nec unus in ecclesia ad tempus sacerdos, et ad tempus judex vice Christi cogitatur.

[55] Book II. chap. 13. sect. 1. See also Scholast. Hist. of Lay Baptism, Part II. chap. 2.

[56] Cypr. Ep. 44. al. 46. ad Maxim. et Nicostrat. Confessores. Gravat me—cum vos illic comperissem contra ecclesiasticam dispositionem, contra evangelicam legem, contra institutionis catholicæ unitatem, alium episcopum fieri consensisse, id est, quod nec fas est, nec licet fieri, ecclesiam aliam constitui; Christi membra discerpi, Dominici gregis animum et corpus unum discissa æmulatione lacerari, &c.

[57] Cypr. de Unit. Eccles. p. 109. Habere jam non potest Deum Patrem, qui ecclesiam non habet matrem, &c.

promises of the church: he cannot come to the rewards of Christ who leaves the church of Christ; he is an alien, he is profane, he is an enemy: and that martyrdom itself, which was accounted in many cases equivalent to baptism, would not expiate this crime, unless the offending party returned to the unity of the church. For what peace, says he,[58] can they promise themselves, who die in enmity with their brethren? What sort of sacrifices do they think they offer, who rival the priests with emulation? Do they imagine Christ is with them when they are assembled, who assemble out of the church of Christ? Such men, though they be slain for the confession of his name, do not wash away the stain with their blood. The inexpiable and grievous crime of dissension is not purged away by their passion: he cannot be a martyr that is not in the church; he cannot attain to the kingdom who deserts the church which is to have the kingdom. Christ commended peace to us; he commanded us to be unanimous, and united together in concord; he enjoined us to keep the bonds of love and charity firm and inviolable. He cannot make himself a martyr that retains not brotherly charity. St. Paul teaches us this, and testifies, saying, "Though I have all faith, so that I could remove mountains, and have not charity, I am nothing. And though I bestow all my goods to feed the poor, and though I give my body to be burnt, and have not charity, it profiteth me nothing. Charity suffereth long and is kind; charity envieth not; doth not behave itself unseemly, is not puffed up, is not easily provoked, thinketh no evil, loveth all things, believeth all things, hopeth all things, endureth all things. Charity never faileth;" it will always be in possession of the kingdom; it will endure for ever in the unity of that fraternity which adheres together. But discord cannot attain to the kingdom of heaven, nor come to the reward of Christ, who said, "This is my commandment, that ye love one another, as I have loved you." He cannot appertain to Christ, who violates the love of Christ by perfidious dissension. He that hath not love, hath not God. It is the voice of the blessed apostle St. John; "God," says he, "is love, and he that dwelleth in love, dwelleth in God, and God in him." They cannot dwell with God who would not abide unanimously in the church of God: though they burn in the flames, though they be cast into the fire, or thrown to wild beasts, and so lay down their lives; that will not be the crown of their faith, but the punishment of their perfidiousness; nor the glorious exit of a religious virtue, but a death of desperation. Such a one may be slain, but he cannot be crowned: *Occidi talis potest, coronari non potest.* Cyprian often repeats this assertion in other places of his writings, (which for brevity's sake I omit,) and particularly applies it to the schism of the Novatians, who brake the unity of the church by setting up Novatian their leader, as anti-bishop against Cornelius, the lawful bishop of Rome; who being once regularly chosen and invested in his office, no other could intrude himself into the same place without dividing the unity of the church. Which was not the singular opinion of St. Cyprian, but the voice of the whole catholic church, as I have had occasion to demonstrate more fully[59] in another discourse, to which I refer the reader for greater satisfaction. Neither was it any private opinion of Cyprian, that a schismatic, continuing a schismatic without repentance, could not be a martyr; but herein he is followed by the greatest lights of the church, St. Chrysostom,[60] St. Austin,[61] Fulgentius,[62] and others, who cite this saying of his with approbation. Which shows what weight they laid upon this sort of unity, of submission and obedience to every lawful bishop in the regular management of the affairs of his own church.

But we must note, that this obedience was only due to bishops, when they could make out a just title to it by the standing rules of the catholic church. For, 1. If any man came into his office by a simoniacal ordination, his ordination, by the canons, was declared null and void:[63] and then no obedience was due to him, nor any communion to be held with him, as a bishop of the church. 2. If a man intruded himself into a full see, where another bishop was regularly ordained before him; it was so far from being a duty to pay obedience to him, that it was the very crime of schism we have now been speaking of in the Novatians of old, to separate from the true bishop by joining with an invader set up against him. 3. If a bishop fell into manifest heresy or idolatry, the people were not only at liberty, but obliged in point of duty, to separate from his communion as an intolerable prevaricator and transgressor. Thus Cyprian[64] tells the people of Leon and Astorga in Spain, with relation to Martialis and Basilides, two bishops that fell into idolatry, That it was their duty, in obedience to the Divine commands, to separate themselves from such apostatizing bishops, and not join

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58 Cypr. de Unit. Eccles. p. 113.

59 Scholast. Hist. of Lay Baptism, Part II. chap. 2. sect. 4.

60 Chrys. Hom. 11. in Ephes.

61 Aug. Ep. 61 et 204. It. de Bapt. lib. 4. cap. 17. Cont. Literas Petiliani, lib. 2. c. 23. De Gestis cum Emerito, p. 249.

62 Fulgent. de Fide ad Petrum, c. 3 et 39.

63 Vid. Can. Apost. 29. et Conc. Chalced. can. 2.

64 Cypr. Ep. 68. al. 67. p. 171. Plebs obsequens præceptis Dominicis, et Deum metuens, a peccatore præposito separare se debet, nec se ad sacrilegi sacerdotis sacrificia miscere; quando ipsa maxime habeat potestatem vel eligendi dignos sacerdotes, vel indignos recusandi.

in their sacrilegious sacrifices; forasmuch as it was chiefly in their power either to choose worthy bishops, or refuse the unworthy. And the same obligation lay upon them to separate from the communion of an heretical bishop, as is evident from the whole practice of the church. 4. If any bishops were legally deposed for any other misdemeanors, it was equally the people's duty to give vigour and effect to the censures of the church by deserting their communion, and adhering to such as were by just authority substituted in their room. 5. It sometimes happened that the dispute of right between two contending bishops was so nice, and doubtful, and hard to be determined, that good and wise men might join with either, till the matter of dispute was fully ended by a competent authority, from which there lay no further appeal. This was like the case of a *lite pendente*, where each party might be presumed to have a right, till the cause was fully heard and adjusted: and in such a case it would be hard to condemn innocent men who joined with either side, till some better light and direction could be afforded them, which might give a final determination of the question in debate, and settle more perfectly the rule of communion. This was the case between Flavian and Evagrius, bishops of Antioch: Flavian was generally received in the Eastern churches, but Evagrius had the countenance of the bishops of Rome, and the Western churches; and during this contention, it was no great crime in men of honest minds to join with either party, since the matter was so hard to be determined by the greatest authority in the church. 6. Sometimes a bishop, who might be presumed to have a right in a church, was willing to resign to his opposite, to prevent a schism, and preserve the peace of the church: and in that case there could be no harm in submitting to the opposite, because it was done by consent and cession of the true bishop, and was confirmed by the approbation of the church. 7. Sometimes a bishop was willing to resign for the sake of peace, but a superior power would not permit him so to do: thus Flavian, in the forementioned dispute with Evagrius, being summoned by the emperor Theodosius to have his cause heard and decided at Rome, generously told the emperor, that if his faith was accused as erroneous, or his life as immoral and unqualifying him for a bishopric, he would freely let his accusers be his judges, and stand to their determination, whatever it were: But if the dispute be only about the throne and government of the church, said he, I shall not stay for judgment, nor contend with any that has a mind to that, but freely recede, and abdicate the throne of my own accord; and you, great sir, may commit the see of Antioch to whom you please. The historian[65] says, The emperor was so much affected with this generous answer, that instead of sending him to Rome for judgment, he sent him back to take care of his church, and would never after hearken to any solicitations that were made to expel him. Now, in this case it were unreasonable to think, that the people which followed Flavian, among whom was St. Chrysostom, were in any fault, though the judgment of the Western bishops was against him. 8. Lastly, Sometimes two bishops were allowed to sit jointly in the same see, as some suppose Peter and Paul to have been at Rome, the one the bishop of the Jews, and the other of the Gentiles; or when one was to be coadjutor to the other; or when it was to cure an inveterate schism, as it was in the proposal made by the catholic bishops to the Donatists in the collation of Carthage; of all which cases the reader may find an exact account given[66] in a former part of this work. Now, in such cases obedience might be paid to either bishop without schism, because there was no opposition between them: and though it was not according to the common rule of the church, to have two bishops ordinarily sitting together in one see at the same time, yet for extraordinary reasons this was sometimes allowed in special cases; and then there was no schism or other evil in it, no breach of unity or encroachment upon any man's right, because it was done for expedience and benefit of the community, by common consent of all parties, and the general approbation of the church. I have interposed these cautions, that it might be more particularly understood, wherein the due submission to every bishop in his own church consisted, and under what limitations obedience was required to a single bishop, regularly appointed, to preserve the unity of the church.

Sect. 7. 4thly, The unity of submission to the discipline of the church.

4. To preserve the unity of the church in its well-being, it was required that every member of a church should submit to the ordinary rules of discipline appointed for the punishment of delinquents; and neither despise the lawful censures of his own church, nor seek clandestinely to be restored to communion in any other church, without giving satisfaction to his own church, whereof he was a member; nor, betaking himself to the conventicles of heretics or schismatics, to be received by them as a communicant, when he was cast out of his own church as a criminal. For all these were direct violations of the unity of discipline, which ought to be preserved entire in every church. The effect of a legal excommunication and the power of the keys was always reputed such, as that if a man was justly cast out of the communion of his own church for his offences, he was supposed to be excluded from all title to the kingdom of heaven,

[65] Theodor. lib. 5. cap. 23.

[66] Book II. chap. 13.

during his continuance in that state, by virtue of our Saviour's authority delegated to the church, in those words, "Whose soever sins ye retain, they are retained;" and, "Whatsoever ye shall bind on earth, shall be bound in heaven." And therefore, unless men submitted to the ordinary way of restoring offenders, and sought to be reconciled to the peace of the church by the proper methods of public confession and repentance, and intercession for pardon and absolution, they were treated as despisers of the church's discipline; and if they died in that state, without being first reconciled, and received into communion again, they were looked upon as persons in a deplorable condition, as dying in a state of sin and rebellion against God, and out of the unity of the church. For which reason no solemnity was ever used at their funeral, as was usual for those who died in the peace of the church; nor were their oblations received, or any offerings or commemorations made for them, as for others, in the usual service of the church. Only in one case a little favour was showed to such as died in the bonds of excommunication unrelaxed by any formal absolution: which was, when such penitents as obediently submitted to the church's discipline, and gave evident tokens of their sincere repentance, happened to die suddenly, when they were desirous of reconciliation and absolution, but by unavoidable necessity could not have it. In this case the canons ordered, that their oblations should be received, as a testimony of their submission, and being united in heart and mind to the church, though they could not have the formality of an external absolution. In the fourth council of Carthage there is a canon to this purpose: Such penitents as are intent and diligent in observing the rules of penance,[67] if they chance to die in a journey, or at sea, where they can have no help or remedy, shall notwithstanding have their memory commended both in the prayers and oblations of the church. The second council of Vaison[68] is a little more particular in declaring how such penitents shall be admitted to all the privileges of church communion after death: If any of those who are under penance, and live in the course of a good life with satisfactory compunction, happen to die suddenly and unexpectedly either in the country or in a journey, their oblations shall be received, and their funeral obsequies and memorials shall be celebrated in the usual manner and affection of the church: because it were unjust, that their commemorations should be excluded from the salutary mysteries, who, whilst they were labouring earnestly with a faithful affection after those holy mysteries, were intercepted by sudden death from the *viaticum* of the sacraments, to whom the priest perhaps would have thought fit to have granted the most absolute reconciliation. There are a great many canons[69] in the second council of Arles, and the second of Orleans, and the second of Toledo, and the council of Epone, to the same purpose. By all which we may judge, that though the church was severe against impenitent apostates and contemners of her discipline, yet she showed great favour and tenderness toward such as really honoured her discipline, and gave evident tokens of repentance: such men were not deemed to depart out of the unity and communion of the church, though they happened to die without the formality of an external absolution; being internally reconciled both to God and the church by the testimonies of repentance, in such cases of extremity, where not their own will, but the necessity of their circumstances, precluded them from a more formal reconciliation.

Sect. 8. How different churches maintained communion with one another. 1st, In faith.

And thus far we have considered the unity of every church with relation to its own members: we are next to examine, what communion different churches held with one another, that we may discover the harmonious unity of the catholic church. And here first of all we are to observe, that as there was one common faith, consisting of certain fundamental articles, essential to the very being of a particular church and its unity, and the being of a Christian; so this same faith was necessary to unite the different parts of the catholic church, and make them one body of Christians. So that if any church deserted or destroyed this faith in whole or in part, they were looked upon as rebels and traitors against Christ, and enemies to the common faith, and treated as a conventicle of heretics, and not of Christians. Upon this account every bishop not only made a declaration of his faith at his ordination, before the provincial synod that ordained him, but also sent his circular or encyclical letters, as they were called, to foreign churches, to signify that he was in communion with them. And this was so necessary a thing in a bishop newly ordained, that Liberatus[70] tells us, the omission of it was interpreted a sort of refusal to hold communion with the rest of the world, and a virtual charge of heresy upon himself or them.

Sect. 9. 2ndly, In mutual assistance of each other for defence of the common faith.

2. To maintain this unity of faith entire, every church was ready to give each other their mutual assistance, to oppose all fundamental errors, and beat down heresy at its first appearance among them. The whole world in this respect was but one common diocese, the episcopate was a uni-

[67] Conc. Carthag. 4. can. 79. Pœnitentes qui attente leges pœnitentiæ exequuntur, si casu in itinere vel in mari mortui fuerint, ubi eis subveniri non possit, memoria eorum et orationibus et oblationibus commendetur.

[68] Conc. Vasense 2. can. 2.

[69] Conc. Arelat. 2. can. 12. Conc. Aurelian. 2. can. 14. Conc. Tolet. 2. can. 12. Conc. Epaunense, can. 36.

[70] Liberat. Breviar. cap. 17

versal thing, and every bishop had his share in it in such a manner, as to have an equal concern in the whole; as I have more fully showed in another place,[71] where I observed, that in things not appertaining to the faith, bishops were not to meddle with other men's dioceses, but only to mind the business of their own: but when the faith or welfare of the church lay at stake, and religion was manifestly invaded; then, by this rule of there being but one episcopacy, every other bishopric was as much their diocese as their own; and no human laws or canons could tie up their hands from performing such acts of the episcopal office in any part of the world, as they thought necessary for the preservation of faith and religion. This was the ground of their meeting in synods, provincial, national, and general, and sending their joint opinions and advice from one church to another. The greatest part of church history is made up of such acts as these, so that it were next to impertinent to refer to any particulars. I only observe one thing further upon this head, that the intermeddling with other men's concerns, which would have been accounted a real breach of unity in many other cases, was in this case thought so necessary, that there was no certain way to preserve the unity of the catholic church and faith without it. And as an instance of this, I have noted in the forecited Book, that though it was against the ordinary rule of the church for any bishop to ordain in another man's diocese; yet in case a bishop turned heretic, and persecuted the orthodox, and would ordain none but heretical men to establish heresy in his diocese; in that case any orthodox bishop was not only authorized, but obliged, as opportunity served, and the needs of the church required, to ordain catholic teachers in such a diocese, to oppose the malignant designs of the enemy, and stop the growth of heresy, which might otherwise take deep root, and spread and overrun the church. Thus Athanasius and the famous Eusebius of Samosata went about the world in the prevalency of the Arian heresy, ordaining in every church where they came, such clergy as were necessary to support the orthodox cause in such a time of distress and desolation: and this was so far from being reckoned a breach of the church's unity, though against the letter of a canon in ordinary cases, that it was necessary to be done, in such a state of affairs, to maintain the unity of the catholic faith, which every bishop was obliged to defend, not only in his own diocese, but in all parts of the world, by virtue of that rule which obliges bishops in weighty affairs to take care of the catholic church, and requires all churches in time of danger to give mutual aid and assistance to one another.

Sect. 10. 3dly, In joining in communion with each other in all holy offices, as occasion required.

3. This unity of the catholic church was further maintained by the readiness of each church, and every member of it, to join in communion with all other churches in the performance of Divine worship, and all holy offices, as their occasions required. To this purpose two things were necessary: 1. That every church should keep her liturgy free from all superstitious and idolatrous worship, and not render her assemblies for holy duties inaccessible by intrenching upon any Divine rule, or making any unlawful conditions of communion. And how careful the ancient church was in this point, may be seen by any one that will peruse the account I have lately given of the liturgy of the ancient churches in all the several parts of it; where none of those superstitious and idolatrous practices appear, that have so much divided the church in later ages, since the exorbitant power of the Romish church imposed so much upon the credulity of men in points of faith, and loaded their consciences so heavily in matters of unwarrantable practice. 2. It was necessary that every Christian, when he came to a foreign church, should readily comply with the innocent usages and customs of that church where he happened to be, though they might chance in some circumstances to differ from his own. This was a necessary rule of peace, to preserve the unity of communion and worship throughout the whole catholic church. For it was impossible that every church should have the same rites and ceremonies, the same customs and usages in all respects, or even the same method and manner of worship exactly agreeing in all punctilios with one another, unless there had been a general liturgy for the whole church expressly enjoined by Divine appointment. The unity of the catholic church did not require this, (as we shall see more plainly by and by,) and therefore no one ever insisted upon this as any necessary part of its unity: it was enough that all churches agreed in the substance of Divine worship; and for circumstantials, such as rites and ceremonies, method and order, and the like, every church had liberty to judge and choose for herself by the rules of expedience and convenience: and then, as it was the duty of every member of any particular church to comply with the innocent customs of his own church, in order to hold free communion with her; so it was the duty of every Christian to comply with the different customs of all other churches, wherever he happened to travel, in order to hold communion with the catholic church in all places without exception. This rule is often inculcated by St. Austin, as the great rule of peace and unity with regard to all churches: and he tells us, he received it as an oracle from the wise and mode-

[71] Book II. chap. 5. sect. 2.

rate discourses of St. Ambrose, whom he consulted upon the occasion of a scruple which had possessed the heart of his mother Monicha, and for some time greatly perplexed her. She having lived a long time at Rome, was used to fast on Saturday, or the sabbath, according to the custom of the church of Rome; but when she came to Milan, she found the contrary custom prevailing, which was to keep Saturday a festival; and being much disturbed about this, her son, though he had not much concern about such matters at that time, for her ease and satisfaction, consulted St. Ambrose upon the point, to take his advice and direction how to govern herself in this case, so as to be inoffensive in her practice. To whom St. Ambrose answered, that he could give no better advice in the case, than to do as he himself was wont to do: For, said he, when I am here,[72] I do not fast on the sabbath; when I am at Rome, I fast on the sabbath: and so you, whatever church you come to, observe the custom of that church, if you would neither take offence at them, nor give offence to them. St. Austin[73] says, This answer satisfied his mother, and he always looked upon it as an oracle sent from heaven. He adds, moreover, That he had often experienced with grief and sorrow the disturbance of weak minds, occasioned either by the contentious obstinacy of certain brethren, or by their own superstitious fears, who, in matters of this nature, which can neither be certainly determined by the authority of Holy Scripture, nor by the tradition of the universal church, nor by any advantage in the correction of life, raise such litigious questions, as to think nothing right but what themselves do; only because they were used to do so in their own country, or because a little shallow reason tells them it ought to be so, or because they have perhaps seen some such thing in their travels, which they reckon the more learned, the more remote it is from their own country. Thus he handsomely and elegantly reflects upon the superstitious folly, and contentious obstinacy, of such as disturbed the church's peace for such things as every church had liberty to use, and every good Christian was obliged to comply with. For, as he says in the same place, all such customs as varied in the practice of different churches, as, that some fasted on the Saturday, and others did not; some received the eucharist every day, others on the sabbath and Lord's day, and others on the Lord's day only; and whatever else there was of this kind, they were all things of free observation:[74] and in such things there could be no better rule for a grave and prudent Christian to walk by, than to do as the church did, wherever he happened to come. For whatever was enjoined, that was neither against faith nor good manners, was to be held indifferent, and to be observed according to the custom, and for the convenience of the society among whom we live. This he repeats over and over again,[75] as the most safe rule of practice in all such things wherein the customs of churches varied, That wherever we see any things appointed, or know them to be appointed, that are neither against faith nor good manners, and have any tendency to edification, and to stir men up to a good life, we should not only abstain from finding fault with them, but follow them both by our commendation and imitation. By this rule all wise and peaceable men always governed their practice in holding communion with other churches: though they did not altogether like their customs, they did not break communion with them upon that account. Thus Irenæus[76] observes to Pope Victor, when he was rashly going to excommunicate the Asiatic churches for their different way of observing Easter, That his predecessor, Anicetus, was far from this uncharitable temper. For when Polycarp came to Rome, though they could not come to a perfect agreement in this point, to have all the churches observe Easter on the same day; yet this difference made no contention between them. For they gave each other the kiss of peace, and communicated together; Anicetus paying Polycarp the customary civility and respect, to let him consecrate the eucharist in his church. Irenæus observes further, That though there were many disputes then on foot concerning

[72] Aug. Ep. 86. ad Casulan. Quando hic sum, non jejuno sabbato; quando Romæ sum, jejuno sabbato: et ad quamcunque ecclesiam veneritis, ejus morem servate, si pati scandalum non vultis, aut facere.

[73] Aug. Ep. 118. ad Januar. Hoc cum matri renunciassem, libenter amplexa est. Ego vero de hac sententia etiam atque etiam cogitans, ita semper habui, tanquam eam cœlesti oraculo susceperim. Sensi enim sæpe dolens et gemens multas infirmorum perturbationes fieri, per quorundam fratrum contentiosam obstinationem, vel superstitiosam timiditatem, qui in rebus hujusmodi, quæ neque Scripturæ Sanctæ auctoritate, neque universalis ecclesiæ traditione, neque vitæ corrigendæ utilitate ad certum possunt terminum pervenire (tantum quia subest qualiscunque ratiocinatio cogitantis, aut quia in sua patria sic ipse consuevit, aut quia ibi vidit, ubi peregrinationem suam, quo remotiorem a suis, eo doctiorem factam putat) tam litigiosas excitant quæstiones, ut nisi quod ipsi faciunt, nihil rectum existiment.

[74] Ibid. Totum hoc genus rerum liberas habet observationes: nec disciplina ulla est in his melior, gravi prudentique Christiano, quam ut eo modo agat, quo agere viderit ecclesiam ad quamcunque forte devenerit. Quod enim neque contra fidem, neque contra bonos mores injungitur, indifferenter est habendum, et pro eorum inter quos vivitur societate servandum est.

[75] Aug. Ep. 119. ad Januarium, cap. 18. De iis quæ varie per diversa loca observantur, una in his saluberrima regula retinenda est, ut quæ non sunt contra fidem, neque contra bonos mores, et habent aliquid ad exhortationem vitæ melioris, ubicunque institui videmus, vel instituta cognoscimus, non solum non improbemus, sed etiam laudando et imitando sectemur, si aliquorum infirmitas non ita impedit, ut majus detrimentum sit.

[76] Ap. Euseb. lib. 5. cap. 24.

the time, and length, and manner of observing the ante-paschal or Lent fast; yet all churches agreed to live in peace and union with one another; and the difference for their fasts served only to commend the unity of their faith. And because it was then a customary thing for churches of different countries to send the eucharist mutually to each other, to testify that they were in communion with one another; he notes it likewise as a peculiar instance of the catholic tempers of the bishops of Rome, Anicetus, Pius, Hyginus, Telesphorus, Xystus, and Soter, who were Victor's predecessors in that church, that though they differed from the Asiatic churches about Easter, yet they lived in peace with them; not only receiving the members of those churches into communion, when they came to Rome, but also sending the eucharist from Rome to those churches. Which being so common a way of testifying their communion with distant churches in those days, it was a very just complaint which Chrysostom made against Theophilus, bishop of Alexandria, and his accomplices, that when they came to Constantinople, they came not to church, according to custom and ancient law; they joined not themselves to him, nor communicated with him[77] in the word or prayer, or the communion of the eucharist; but as soon as they landed, passing by the church, they took their lodging in an inn, when the bishop's house was ready prepared to entertain them. This he complains of as a singular instance of their enmity, faction, and uncharitable spirit, in refusing to communicate with him, before any formal accusation had been brought against him, much less any legal sentence of condemnation pronounced upon him. By this account of things it is easy to judge, what stress the ancients laid upon the laws of communion, obliging every church to communicate with her sister churches over all the world in all holy offices, in order to preserve the communion of worship one entire thing throughout the whole catholic church, without any notorious division or distraction.

Sect. 11. 4thly. In mutual consent to ratify all legal acts of discipline regularly exercised in any church whatsoever.

4. The communion of the whole catholic church was further declared by the obligation of such laws, as laid a necessary injunction upon all churches to ratify all such legal acts of discipline, as were regularly exercised in any church whatsoever. Thus, if any person was duly baptized, and thereby admitted to be a member of any particular church, that qualification gave him a right to communicate in any part of the catholic church, travelling with commendatory letters from the bishop of his own church, to signify that he was in perfect and full communion with her, and not cast out for any offence against the rules of her communion. This is what Optatus means, when he says,[78] That the whole world was united together in one common society, or society of communion, by the mutual commerce of those canonical or communicatory letters, which they called *formatæ;* because these testifying that he was in the communion of his own church, by the known laws and rules of discipline, gave him a title to communicate in any other church whatsoever, only observing the rites and customs of that church whither his occasions happened to call him. So again, if a man was legally excommunicated for his crimes by his own church, no church would receive him to communion, till he had given proper satisfaction to his own church, which had bound him by her censures. Such a perfect good understanding and harmony was there then among all the parts of the whole catholic church, in confirming each other's discipline, and mutually strengthening their authority against all enemies of faith and virtue, whether they were such as tried by open violence and terror, or by secret arts and clandestine practices, to get admission, in opposition to the church whose censures they lay under. No church would admit them without communicatory letters: if they were rebels to their own church, they were accounted rebels to the whole. Thus Epiphanius tells us,[79] when Marcion the heretic was excommunicated by his own father, and desired to be received into communion at Rome, they answered him, that they could not do it without the permission of his father. For there was but one faith, and one rule of concord; and they could not do any thing in opposition to their good fellow servant, and his father. This repulse was highly resented by Marcion, and it put him upon those wicked designs of inventing a new heresy to disturb the church; for he told them directly in revenge, that he would divide their church, and bring an eternal schism into it: which, as Epiphanius rightly observes, was not so much to divide the church, as to divide himself from it. There are a great many other instances of the church's steadiness and resolution in thus proceeding against delinquents, to maintain the unity of discipline entire in all parts of the ecclesiastical body, and abundance of canons to this purpose; which, because I shall have occasion to speak more of hereafter,[80] I willingly omit them in this place, and go on to observe another instance of the church's unity in point of practice: which was,

Sect. 12. In receiving unanimously the customs of the universal church, and submitting to the decrees of general councils.

5. That all churches generally agreed in receiving such customs as were handed down by general consent from apostolical tradition, or otherwise settled and determined by the

[77] Chrys. Ep. ad Innocent. t. 4. p. 677.

[78] Optat. lib. 2. p. 48. Totus orbis commercio formatarum in una communionis societate concordat.

[79] Epiph. Hær. 42. Marcion. n. 2.

[80] Chap. 2. sect. 10.

decrees of general councils. For these two ways many customs became in a manner universal, and almost of necessary observance in the church over all the world: and then for any private man or church to dispute against them, was to give scandal to the rest of the world, and bring disturbance into the church by an unnecessary and unreasonable opposition to things innocent in themselves, and settled by general consent and approbation. St. Austin takes notice of this double source and original of general customs in the church, for which, though there be no express command in Scripture, yet a great deference ought to be paid to the general sentiments and authority, and practice and observation of the whole church. Those things, says he, which we keep,[81] not from Scripture, but from tradition, and which are observed over all the world, are reasonably supposed to have come down to us recommended and appointed either by the apostles themselves, or by some plenary councils, whose authority is of great use in the church; such as the celebrating the anniversary memorial of our Saviour's passion, and resurrection, and ascension, and the descent of the Holy Ghost from heaven, and whatever else of the like nature is observed by the universal church in all parts, wherever it spreads itself all the world over. Concerning which sort of things, he concludes, That[82] for any man to dispute against them, was most insolent madness, seeing they were authorized by the practice of the universal church. He particularly applies this rule to the case of observing the Lord's day[83] not as a fast, but as a festival: for since the whole church observed it as a festival, no one could turn that day into a fast without offending God, by giving scandal to the church universal; there being both general custom and canon[84] against it. For the same reason it was esteemed a crime to pray kneeling on that day, because the practice of the universal church was to pray standing,[85] in memory of our Saviour's resurrection; and the council of Nice thought it a thing worthy of a decree to bring all men to a uniformity in that practice. As she did also in the matter of observing the Easter festival, making a rule that all churches should celebrate it on one and the same day, because it was unlawful that in a business of so great moment, and the religious observation of such a festival, there should be any dissension, as Constantine expresses it in his epistle,[86] which he sent to all the churches in the world upon this occasion. So that though several churches had kept this festival on different days before this decree was made, yet when it was once past there was no more liberty for dissension.

Sect. 13. 6thly, In submitting to the decrees of national councils.

6. The like may be observed of the decrees of national councils, when once the Roman empire was divided into several kingdoms. A great many things were at first allowed to every bishop in the management of his own diocese, which were afterwards restrained by the decrees of national councils. As, to instance only in one particular, every bishop anciently had liberty to frame his own liturgy for the use of his own church; but in process of time, when the world was divided into several kingdoms, rules were made that all the churches of such or such a kingdom should have one and the same liturgy. Thus when Spain and Gallia Narbonensis became one distinct kingdom, a decree was made, that as there was but one faith, so there should be but one liturgy or order of Divine service throughout the whole kingdom. The fourth council of Toledo, under the reign of King Sisenandus, made an express canon[87] to this purpose: After the confession of the true faith, which is preached in the holy church of God, it seemed good, that all we bishops, who are joined together in the unity of the catholic faith, should henceforth use no diversity or disagreement in the administration of the ecclesiastical mysteries; lest every such diversity be interpreted a schism among us by carnal men, and such as are unknown to us, and the variety of customs in our churches become a scandal to many. Let one order therefore of prayers and psalmody be observed by us throughout all Spain and Gaul; one manner of celebrating mass, or the communion service; and one manner of performing vespers, or evening service: and let there henceforth be no diversity in our ecclesiastical

[81] Aug. Ep. 118. ad Januar. Illa autem quæ non scripta, sed tradita custodimus, quæ quidem toto terrarum orbe observantur, dantur intelligi vel ab ipsis apostolis, vel plenariis conciliis, quorum in ecclesia saluberrima authoritas, commendata atque statuta retineri: sicuti quod Domini passio et resurrectio et ascensio in cœlum, et adventus de cœlo Spiritus Sancti, anniversaria solennitate celebrantur, et si quid aliud tale occurrerit, quod servatur ab universa, quacunque se diffundit, ecclesia.

[82] Ibid. Si quid horum tota per orbem frequentat ecclesia, quin ita faciendum sit, disputare, insolentissimæ insaniæ est.

[83] Aug. Ep. 86. ad Casulan. Quis non Deum offendet, si velit cum scandalo totius, quæ ubique dilatata est, ecclesiæ, die Dominico jejunare?

[84] Vide Can. Apost. 64. Conc. Gangren. can. 18. Conc. Carthag. 4. can. 64. Conc. Bracar. 1. can. 4.

[85] Vid. Tertul. de Coron. Mil. cap. 3. et Conc. Nic. can. 20.

[86] Ap. Euseb. de Vita Const. lib. 3. cap. 18.

[87] Conc. Tolet. 4. can. 2. Post rectæ fidei confessionem, quæ in sancta Dei ecclesia prædicatur, placuit, omnes sacerdotes, qui catholicæ fidei unitate complectimur, ut nihil ultra diversum aut dissonum in ecclesiasticis sacramentis agamus; ne quælibet nostra diversitas apud ignotos seu carnales schismatis errorem videatur ostendere, et multis extet in scandalum varietas ecclesiarum. Unus ergo ordo orandi atque psallendi, a nobis per omnem Hispaniam atque Galliciam (leg. Galliam) conservetur: unus modus in missarum solennitatibus, unus in vespertinis officiis: nec diversa sit ultra in nobis ecclesiastica consuetudo, quia in una fide continemur et regno. Hoc enim et antiqui canones decreverunt, &c.

customs, seeing we all live in one faith and in one kingdom. That canon also refers to more ancient canons, requiring uniformity in Divine worship throughout provincial churches. And it is most certain, that about this time, that is, in the sixth and seventh centuries, and before, decrees were made in several councils, requiring the churches of each respective province to conform their usages to the rites and forms of the metropolitical or principal church among them. As may be seen in the canons of the councils of Agde, anno 506,[88] and Epone and Girone, anno 517,[89] and the council of Vannes[90] and the first of Braga,[91] anno 465 and 563. For though by the most ancient rules every bishop had liberty to prescribe what he thought proper for his own church, and no church pretended to dictate magisterially in such things to any other; yet when churches became subject to one political head, and national churches arose from that distinction; then it was thought convenient by all the bishops of such a nation to unite more closely in rituals and circumstantials of Divine worship, as well as faith and substantials; and from that time this also became a necessary part of the union of national churches; in which all the bishops voluntarily combining, no one could depart from that unity without incurring the guilt of an unnecessary breach of that union, which was so convenient for cementing the several members of a national church into one communion.

Sect. 14. No necessity of a visible head to unite all the parts of the catholic church into one communion.

Thus we have seen wherein the unity of the catholic church, considered in its utmost latitude, consisted. And hence one might safely infer these two things negatively, without any further evidence: 1st, That there was no necessity of a visible head, as now is pretended in the church of Rome, to unite all the parts of the catholic church into one communion. Nor, 2dly, Any necessity that the whole catholic church should agree in all rites, and ceremonies, and customs, in indifferent things, which might be various in different churches without any breach of catholic communion. The former of these was sufficiently provided for by the agreement of all churches in the same faith, and the obligation that lay upon the whole college of bishops, as equal sharers in one episcopacy, to give mutual assistance to each other in all things that were necessary to defend the faith, or preserve the unity of the church entire in all respects when any assault was made upon it. It was by this means, and not by any necessary recourse to any single, visible, standing head, that anciently the unity of the church was preserved. Recourse was sometimes had to the bishop of Rome, as an eminent bishop, who made a considerable figure in the great body of bishops, and one who, by his station in the imperial city, might be able to succour those that were oppressed in times of great difficulty and distress; but his judgment or opinion was deemed no infallible rule, nor his decision such as was to conclude the rest of the world, so as to tie them down in no case without the charge of schism to vary from him. For sometimes the bishop of Rome fell into manifest heresy, as when Liberius subscribed the Arian blasphemy; in which case any other bishop was not only at liberty to dissent from him, but was obliged, by virtue of his share in the common episcopacy of the church, to oppose him, and, if occasion required, to pronounce anathema against him; as St. Hilary did against Liberius,[92] when he subscribed to the condemnation of Athanasius, and the Arian creed made at Sirmium. Sometimes, again, the bishops of Rome took upon them to exercise a jurisdiction over other churches, in whose affairs by right of canon they had no power; as, when Pope Victor set himself to excommunicate the Asiatic churches for their different way of observing Easter, he was opposed, not only by the Asiatic bishops, but by Irenæus and the rest of the world, as going beyond his bounds, and engaging himself in a rash and schismatical undertaking. For he who, by an undue stretch of power not belonging to him, divides others from his communion, is properly the schismatic, by making an unnecessary division in the church, and not they who, by necessity, are forced to divide from him. So, again, when Pope Zosimus and Celestine took upon them to receive appellants from the African churches, and absolve those whom they had condemned; St. Austin, and all the African churches, sharply remonstrated against this as an illegal practice, violating the laws of unity, and the settled rules of ecclesiastical commerce, which required that no delinquent excommunicated in one church should be absolved in another, without giving satisfaction to his own church that censured him: and therefore, to put a stop to this practice, and check the exorbitant power which the Roman bishops assumed to themselves, they first made a law in the council of Milevis,[93] That no African clerk should appeal to any church beyond sea, under pain of being excluded from communion in all the African churches: and then, afterward, meeting in a general synod,[94] they despatched letters to the bishop of Rome, to remind him how contrary this practice was to the canons of Nice, which ordered, That all controversies should be ended in the places where

[88] Conc. Agathen. can. 30.
[89] Conc. Epaunense, can. 27. Conc. Gerund. can. 1.
[90] Conc. Veneticum, can. 15.
[91] Conc. Bracaren. 1. can. 19, 20, 21, &c.
[92] Hilar. Fragment. p. 131. Anathema tibi a me dictum, Liberi, et sociis tuis. Iterum tibi anathema, et tertio, prævaricator Liberi.
[93] Conc. Milevitan. can. 22.
[94] Cod. Can. Afric. a cap. 135 ad 138.

they arose, before a council and the metropolitan. And they withal tell him, It was unreasonable to think that God should enable a single person to examine the justice of a cause, and deny his grace to a multitude of men assembled in council. This evidently shows, that they did not imagine any single person to be the centre of unity to the whole church; or that all churches were obliged to be in communion with the bishop of Rome, whether he were catholic or heretic; or that any church, without the limits of his metropolitical power, was bound in any respect to submit to his jurisdiction: but it manifestly proves, on the contrary, that there was no necessity of a visible head, as is now pretended in the church of Rome, to unite all the parts of the catholic church into one communion; but that, in matters of faith, every bishop was as much a guardian of the whole church as the bishop of Rome; and in matters of discipline, all churches were at liberty to hear and determine their own causes in a synod of bishops, without having recourse to any foreign jurisdiction, as has been more fully demonstrated in other parts of this work,[95] to which I refer the reader for greater satisfaction.

Sect. 15. Nor any necessity that the whole church should agree in the same rites and ceremonies, which were things of an indifferent nature.

Secondly, It is equally clear, that there was no necessity, in order to maintain the unity of the catholic church, that all churches should agree in all the same rites and ceremonies; but every church might enjoy her own usages and customs, having liberty to prescribe for herself in all things of an indifferent nature, except where either a universal tradition, or the decree of some general or national council, (as has been noted before,) intervened to make it otherwise. To this purpose is that famous saying of Irenæus,[96] upon occasion of the different customs of several churches in observing the Lent fast: We still retain peace one with another; and the different ways of keeping the fast only the more commends our agreement in the faith. St. Jerom likewise, speaking of the different customs of churches in relation to the Saturday fast, and the reception of the eucharist every day, lays down this general rule,[97] That all ecclesiastical traditions, which did no ways prejudice the faith, were to be observed in such manner as we had received them from our forefathers; and the custom of one church was not to be subverted by the contrary custom of another; but every province might abound in their own sense, and esteem the rules of their ancestors as laws of the apostles. After the same manner, St. Austin[98] says, That in all such things, whereabout the Holy Scripture has given no positive determination, the custom of the people of God, or the rules of our forefathers, are to be taken for laws. For if we dispute about such matters, and condemn the custom of one church by the custom of another, that will be an eternal occasion of strife and contention; which will always be diligent enough to find out plausible reasonings, when there are no certain arguments to show the truth. Therefore great caution ought to be used, that we draw not a cloud over charity, and eclipse its brightness in the tempest of contention. He adds, a little after, Such contention is commonly endless, engendering strifes, and terminating no disputes. Let us, therefore, maintain one faith[99] throughout the whole church, wherever it is spread, as intrinsical to the members of the body, although the unity of faith be kept with some different observations, which in no ways hinder or impair the truth of it. For all the beauty of the King's daughter is within, and those observations which are differently celebrated, are understood only to be in her outward clothing. Whence she is said to be clothed in golden fringes, wrought about with divers colours. But let that clothing be so distinguished by different observations, as that she herself may not be destroyed by oppositions and contentions about them. This was the ancient way of preserving peace in the catholic church, to let different churches, which had no dependence in externals upon one another, enjoy their own liberty to follow their own customs without contradiction. For, as Gregory[100] the Great said to Leander, a Spanish bishop, there is no harm done to the church catholic by different customs, so long as the unity of the faith is preserved. And therefore, though the Spanish churches differed in some customs from the

[95] Book II. chap. 5, and Book IX. chap. 1. sect. 11.

[96] Ap. Euseb. lib. 5. cap. 24. Πάντες εἰρηνεύομεν πρὸς ἀλλήλους· καὶ ἡ διαφωνία τῆς νηστείας τὴν ὁμόνοιαν τῆς πίστεως συνίστησι.

[97] Hieron. Ep. 28. ad Lucinium Bœticum. Ego illud te breviter admonendum puto, traditiones ecclesiasticas (præsertim quæ fidei non officiant) ita observandas, ut a majoribus traditæ sunt: nec aliorum consuetudinem aliorum contrario more subverti——Sed unaquæque provincia abundet in suo sensu, et præcepta majorum leges apostolicas arbitretur.

[98] Aug. Ep. 86. ad Casulan. In his rebus, de quibus nihil certi statuit Scriptura Divina, mos populi Dei vel instituta majorum pro lege tenenda sunt. De quibus si disputare voluerimus, et ex aliorum consuetudine alios improbare, orietur interminata luctatio, quæ labore sermocinationis cum certa documenta nulla veritatis insinuet; utique cavendum est, ne tempestate contentionis serenitatem charitatis obnubilet.

[99] Aug. ibid. Interminabilis est ista contentio, generans lites, non finiens quæstiones. Sit ergo una fides universæ, quæ ubique dilatatur, ecclesiæ, tanquam intus in membris, etiam si ipsa unitas fidei quibusdam diversis observationibus celebratur, quibus nullo modo quod in fide verum est impeditur. Omnis enim pulchritudo filiæ Regis intrinsecus; illæ autem observationes, quæ varie celebrantur, in ejus veste intelliguntur. Unde ibi dicitur, In fimbriis aureis circumamicta varietate. Sed ea quoque vestis ita diversis celebrationibus varietur, ut non adversis contentionibus dissipetur.

[100] Greg. Magn. Ep. 41. ad Leandrum. In una fide nihil officit sanctæ ecclesiæ consuetudo diversa.

Roman church, yet he did not pretend to oblige them to leave their own customs and usages, to follow the Roman. He gave a like answer to Austin the monk, archbishop of Canterbury, when he asked him, what form of Divine service he should settle in Britain, the old Gallican, or the Roman? And how it came to pass, that when there was but one faith, there were different customs in different churches; the Roman church having one form of service, and the Gallican churches another? To this he replied,[101] Whatever you find either in the Roman, or Gallican, or any other church, which may be more pleasing to Almighty God, I think it best that you should carefully select it, and settle it in the use of the English church, newly converted to the faith. For we are not to love things for the sake of the place, but places for the sake of the good things we find in them. Therefore you may collect out of every church whatever things are pious, religious, and right; and putting them together, instil them into the minds of the English, and accustom them to the observation of them. And there is no question but that Austin followed this direction in his new plantation of the English church.

Neither was this liberty granted to different churches in bare rituals, and things of an indifferent nature, but sometimes in more weighty points, such as the receiving or not receiving those that were baptized by heretics and schismatics without another baptism. This was a question long debated between the African, and Roman, and other churches; yet without breach of communion, especially on their part who followed the moderate counsels of Cyprian, who still pleaded for the liberty and independence of different churches in this matter, leaving all churches to act according to their own judgment, and keeping peace and unity with those that differed from him, as has been more fully showed in a former Book,[102] where we discourse of the independence of bishops, especially in the African churches.

The reader may find an account of some other questions in the same place, as candidly and moderately debated among them, as the question about clinic baptism, and the case of admitting adulterers to communion again, in which the practice of the African bishops was often different from one another; but they neither censured each other's practice, nor brake communion upon it. And sometimes the same moderation was observed in doctrinal points of lesser moment. For, as our learned and judicious writers[103] have observed out of St. Austin,[104] besides the necessary articles of faith, there are other things about which the most learned and exact defenders of the catholic rule do not agree, without dissolving the bond of faith. There are some questions in which,[105] without any detriment to the faith that makes us Christians, we may safely be ignorant of the truth, or suspend our opinion, or conjecture what is false by human suspicion and infirmity. As in the question about paradise, what sort of place it is, and where it was that God placed the first man when he had formed him? Where now Enoch and Elias are, in paradise, or some other place? How many heavens there are, into the third of which St. Paul says he was taken? With innumerable questions of the like nature, pertaining either to the secret work of God, or the hidden parts of Scripture, concerning which he concludes, that a man may be ignorant of them without any prejudice to the Christian faith, or err about them without any imputation of heresy. This consideration made St. Austin profess in his modesty, that there were more things in Scripture[106] which he knew not, than what he did know. And if men should fiercely dispute about such things, and condemn one another for their ignorance or error concerning them, there would be no end of schisms and divisions in the church. Therefore in such questions every man was at liberty to abound in his own sense, only observing this rule of peace, not to impose his own opinions magisterially upon others, nor urge his own sentiments as necessary doctrines or articles of faith in such points, where either the Scripture was silent, or left every man the liberty of opining.

Sect. 16. What allowance was made for men who out of simple ignorance brake communion with one another.

Nay, in some cases a little allowance was made for men of honest minds, who brake communion one with another. For sometimes it happened, that good catholics were divided among themselves out of ignorance, and brake communion with one another for mere words, not understanding each other's sentiments. In which

[101] Greg. Respons. ad Quæst. Aug. ap. Bedam, lib. 1. cap. 27. et Gratian. Dist. 12. cap. 10. Mihi placet, ut sive in Romana, sive in Galliarum, seu in qualibet ecclesia aliquid invenisti, quod plus omnipotenti Deo placere possit, sollicite eligas; et in Anglorum ecclesia, quæ adhuc ad fidem nova est, institutione præcipua, quæ de multis ecclesiis colligere potuisti, infundas. Non enim pro locis res, sed pro bonis rebus loca amanda sunt. Ex singulis ergo quibusque ecclesiis, quæ pia, quæ religiosa, quæ recta sunt elige, et hæc quasi in fasciculum collecta, apud Anglorum mentes in consuetudinem depone.

[102] Book II. chap. 6.

[103] Barrow, Of the Unity of the Church, p. 299. Potter, Answer to Charity mistaken, sect. 3. p. 88.

[104] Aug. cont. Julian. Pelag. Alia sunt de quibus inter se aliquando doctissimi atque optimi regulæ catholicæ defensores, salva fidei compage, non consonant.

[105] Aug. de Peccat. Orig. cont. Pelag. et Celest. lib. 2. cap. 23. Sunt quæstiones in quibus, salva fide qua Christiani sumus, aut ignoratur quod verum sit, et sententia definitiva suspenditur; aut aliter quam est, humana et infirma suspicione conjicitur. Veluti cum quæritur, qualis, aut ubi paradisus sit, &c. Vid. Enchirid. cap. 59.

[106] Aug. Ep. 119. ad Januar. cap. 21. Etiam in ipsis Sanctis Scripturis multo nesciam plura quam sciam.

case all wise and moderate men had a just compassion for each party, and laboured to compose and unite them, without severely condemning either. Nazianzen[107] tells us, There was a time when the ends of the earth were well nigh divided by a few syllables. It was in a controversy about the use of the words *τρία πρόσωπα*, and *τρεῖς ὑποστάσεις*, in the doctrine of the Trinity. Each party was orthodox, and meant the same thing under different words; but not understanding one another's sense, they mutually charged each other with heresy. They who were for calling the three Divine persons three hypostases, charged their adversaries as Sabellians; and they on the contrary returned the charge of Arianism upon them, as thinking they had taken three hypostases in the Arian sense, for three essences or substances of a different nature. But the great and good Athanasius, in his admirable prudence and candour, seeing into the false foundation of these disputes, quickly put an end to them, by bringing them to a right understanding of each other's sense, and allowing them to use their own terms without any difference in opinion. And this, says our author, was a more beneficial act of charity to the church, than all his other daily labours and discourses: it was more honourable than all his watchings and humicubations, and not inferior to his flights and exiles. And therefore he tells his readers, in ushering in the discourse, that he could not omit the relation without injuring them, especially at a time when contentions and divisions were in the church; for this action of his would be an instruction to them that were then alive, and of great advantage, if they would propound it to their own imitation; since men were prone to divide not only from the impious, but from the orthodox and pious, and that not only about little and contemptible opinions, (which ought to make no difference,) but even about words that tended to the same sense, as was evident in the case before them. Such was the candour and prudence of wise and good men in labouring to compose the unnecessary and verbal disputes of the orthodox, when they unfortunately happened to clash and quarrel without grounds one with another.

And they had some regard likewise to men of honest minds, who through mere ignorance or infirmity were engaged in greater errors. For they made a great distinction between heresiarchs and their followers; between the guides and the people; and between such as were born and bred in the church, and afterward apostatized into heresy, and those that received their errors from the tradition and seduction of their parents. St. Austin,[108] speaking of this latter sort, says, That they who defend not a false and perverse opinion with any pertinacious animosity, especially if they did not by any audacious presumption of their own first invent it, but received it from the seduction of their erring parents, and were careful in their inquiries after truth, being ready to embrace it when they found it; that they were by no means to be reckoned among heretics. That is, they had not the formality of heresy, which is pride and obstinacy in error; and therefore a more favourable opinion might be conceived of them above others, who first founded heresies, or embraced them afterwards out of some vicious corruption of mind, having a greater regard to their own lusts, and pleasures of unrighteousness, than any sincere love for truth. Though such weak and injudicious persons could not be wholly excused from error, or schism, or sin, yet in comparison of others their case was thought capable of some proper allowances: and therefore they were neither so severely punished in the church here, nor reputed so great objects of God's displeasure hereafter. For, as Salvian[109] words it, in the case of some who embraced the Arian heresy, they erred indeed, but they erred with a good mind; not out of any hatred to God, but with affection to him, thinking thereby to honour and love the Lord. Although they had not the true faith, yet they imagined this their opinion to be perfect charity towards God. And how they shall be punished for this error of their false opinion in the day of judgment, no one knows but the Judge alone.

Sect. 17. Of different degrees of unity; and that no one was esteemed to be in the perfect unity of the church, who was not in full communion with her.

This occasioned a little distinction sometimes to be made between heresiarchs, or the first authors of heresy, and those that were ignorantly drawn into error by their seducement and delusions, as we shall see more in speaking of the discipline and censures of the church. In the mean time, I observe, that because the church could not ordinarily judge of men's hearts, nor always know the means and motives that engaged them in error or schism, she was forced to proceed commonly by another rule, and judge of their unity with her by their external communion and professions. And because there were several sorts and degrees of unity, as we have seen before, so that a man might be in the communion of the

[107] Naz. Orat. 21. de Laud. Athanas. t. 1. p. 396.

[108] Aug. Ep. 162. ad Episc. Donat. p. 277. Qui sententiam suam, quamvis falsam atque perversam, nulla pertinaci animositate defendunt, præsertim quam non audacia præsumptionis suæ pepererunt, sed a seductis atque in errorem lapsis parentibus acceperunt, quærunt autem cauta solicitudine veritatem, corrigi parati cum invenerint, nequaquam sunt inter hæreticos deputandi.

[109] Salvian. de Gubernat. Dei, lib. 5. p. 154. Errant ergo, sed bono animo errant; non odio, sed affectu Dei, honorare se Dominum, atque amare credentes. Quamvis non habeant rectam fidem, illi tamen hoc perfectam Dei æstimant charitatem. Qualiter pro hoc ipso falsæ opinionis errore in die judicii puniendi sunt, nullus potest scire nisi Judex.

church in one respect, and out of it in another; therefore the church went by this rule, to judge none to be in her perfect unity, but such as were in full communion with her. Upon which account, though heretics, and schismatics, and excommunicate persons, and profane men were in some sense of the church, as having received baptism, which they always retained, and as making profession of some part of the Christian faith; yet because in other respects they were broken off from her, they were not esteemed sound and perfect members of the body, but looked upon as withered and decayed branches, for want of such unity in other respects, as is necessarily required to denominate a man a real and complete Christian, which is a title allowed to none but such as are in full communion with the church of Christ. This distinction between total and partial unity, and total and partial schism and separation, is of great use to make a man understand all those sayings of the ancients, which speak of heretics, and schismatics, and excommunicate persons, and profligate sinners, as being in some measure in and of the church, at the same time that they were reputed really and truly separated from her. Thus Optatus tells the Donatists,[110] That they were divided from the church in part, not in every respect: for that was the nature of a schism, to be divided in part, not totally cut asunder. And that for very good reason, because both we and you have the same ecclesiastical conversation; though the minds of men be at variance, the sacraments do not vary. We have all the same faith, we are all signed with the same seal: we are no otherwise baptized than you are, nor otherwise ordained than you are. We all read the same Divine Testament, we all pray to the same God. The Lord's prayer is the same with us as it is with you; but there being a rent made (as was said before) by the parts hanging this way and that way, a union was necessary to restore the whole to its integrity. He repeats this again in other places:[111] Both you and we have the same ecclesiastical conversation, the same common lessons, the same faith, the same sacraments of faith, the same mysteries. And upon this score he frequently tells them they were their brethren still, whether they would or not. Though the Donatists hate us, says he,[112] and abhor us, and will not be called our brethren, yet we cannot depart from the fear of God: they are without doubt our brethren, though not good brethren. Therefore let no one wonder that I call them brethren, who cannot be otherwise than our brethren, seeing both they and we have one and the same spiritual nativity, though our actions are different from one another. Ye cannot but be our brethren, says he again to them,[113] whom one mother the church hath born in the same bowels of her sacraments; whom one God, as a Father, hath received after one and the same manner, as adopted children. We all pray, "Our Father which art in heaven:" whence you may perceive, that we are not totally separated from one another, whilst we pray for you willingly, and you pray for us, though against your will. You may hence see, Brother Parmenian, that the sacred bonds of brotherhood between us and you cannot be totally broken asunder. St. Austin always discourses after the same manner concerning this union in part: In many things ye are one with us,[114] in baptism, in the creed, and the rest of God's sacraments. And hence[115] he also concludes, that whether they would or no, they were their brethren, and could not cease to be so, so long as they continued to say, "Our Father," and did not renounce their creed and their baptism. For there was no medium between Christians and pagans. If they retained faith, and baptism, and the common prayer of the Lord, which teaches all men to style God their Father; so far they were Christians: and as far as they were Christians, so far they were brethren, though turbulent and contentious, who would neither keep "the unity of the Spirit in the bond of peace," nor continue to be united in the catholic church with the rest of their brethren.

By all this it is evident, 1. That there were dif-

[110] Optat. lib. 3. p. 72. In parte vestis adhuc unum sumus, sed in diversa pendemus. Quod enim scissum est, ex parte divisum est, non ex toto concisum. Et merito, quia nobis et vobis una est ecclesiastica conversatio: et si hominum litigant mentes, non litigant sacramenta. Denique possumus et nos dicere, pares credimus, et uno sigillo signati sumus: nec aliter baptizati quam vos: nec aliter ordinati quam vos. Testamentum divinum legimus pariter: unum Deum rogamus. Oratio Dominica apud nos et apud vos una est, sed scissura (ut supra diximus) facta, partibus hinc atque inde pendentibus, sartura necessaria.

[111] Ibid. lib. 5. p. 84. Denique apud vos et apud nos una est ecclesiastica conversatio, communes lectiones, eadem fides, ipsa fidei sacramenta, eadem mysteria.

[112] Ibid. lib. 1. p. 34. Quamvis nos odio habent, et execrentur, et nolunt se dici fratres nostros; tamen nos recedere a timore Dei non possumus.—Sunt igitur sine dubio fratres, quamvis non boni. Quare nemo miretur, eos me appellare fratres, qui non possunt non esse fratres. Est quidem nobis et illis una spiritualis nativitas, sed diversi sunt actus, &c. So in the conference of Carthage, die 3. n. 233, the catholics say, Propter sacramenta frater est sive bonus sive malus.

[113] Ibid. lib. 4. p. 77. Non enim non potestis esse fratres, quos iisdem sacramentorum visceribus una mater ecclesia genuit; quos eodem modo adoptivos filios Deus Pater excepit.—Videtis nos non in totum ab invicem esse separatos, dum et nos pro vobis oramus volentes; et vos pro nobis oretis, etsi nolentes. Vides, frater Parmeniane, sancta germanitatis vincula inter nos et vos in totum rumpi non posse.

[114] Aug. Ep. 48. ad Vincent. p. 71. In multis estis nobiscum, in baptismo, in symbolo, in cæteris Dominicis sacramentis. In spiritu autem unitatis, et vinculo pacis, in ipsa denique catholica ecclesia nobiscum non estis.

[115] Aug. in Psal. xxxii. Concion. 2. p. 91. Velint, nolint, fratres nostri sunt, &c.

ferent degrees of unity and schism, according to the proportion of which, a man was said to be more or less united to the church, or divided from it. 2. That they who retained faith, and baptism, and the common form of Christian worship, were in those respects one with the church; though in other respects, wherein their schism consisted, they were divided from her. So they might be said to be brethren, and not brethren; sons of God, and not sons of God; of the house of God, and not of the house of God; according to the different acceptation of these terms, and the different proportion and degrees of that unity or schism, whereby they were united to the church, or separated from her. 3. That to give a man the denomination of a true catholic Christian, absolutely speaking, it was necessary that he should in all respects, and in every kind of unity, be in perfect and full communion with the church; that is, in faith, in baptism, in holiness of life, in charity, in worship and all holy offices, and in all the necessary parts of government and discipline; but to denominate a man a schismatic, it was sufficient to break the unity of the church in any one respect; though the malignity of his schism was to be interpreted more or less, according to the degrees of the separation that he made from her. And by these rules it is easy for any one to understand, what the ancients meant by unity and schism, and how the discipline of the church was exercised and maintained by obliging men to live in perfect and full communion with her, which I come now more particularly to explain and consider.

CHAPTER II.

OF THE DISCIPLINE OF THE CHURCH, AND THE VARIOUS KINDS OF IT, TOGETHER WITH THE VARIOUS METHODS OBSERVED IN THE ADMINISTRATION OF IT.

Sect. 1. That the discipline of the church did not consist in cancelling or disannulling any man's baptism.

The discipline of the church being intended, as was observed before, only to preserve the unity and purity of her own members in one communion, we are not to look for the exercise of it upon any but such as in some measure made profession of being joined in society with her; which were either baptized persons, or at least candidates of baptism; for she pretended not to exercise discipline upon any other which were without, but such only as were within the pale, in the largest sense, by some act of their own profession. And even upon these she never pretended to exercise her discipline so far, as to cancel or disannul their baptism, so as to oblige them to take a second baptism, if their first was good, in order to be admitted into the church again, when for any crime they were cast out of it. For even heretics and apostates, who made the greatest breach of Christian unity, were never so far divided from the church, but that still they retained some distant relation to her by baptism, whose character was indelible, even in the greatest apostacy that can be imagined, even in the total abjuration of the Christian faith: the obligation of their baptism still lay upon them, and with what severity soever they were treated in their repentance, if ever they returned to the church again, there is no instance of receiving them by a second baptism, which, if once lawfully given, was for ever after forbidden to be repeated upon any account whatsoever. I will not stand to prove this here, because I have had occasion once or twice[1] before to speak largely upon it; but only observe, that it was no part of the discipline of the church to deny men the original right they had in baptism; and consequently, that the most formal casting them out of communion was never intended to signify, that they were mere heathens and pagans, and that they could not be admitted again into the church without a repetition of their baptism.

Sect. 2. But in excluding men from the common benefits and privileges consequent to baptism.

But the discipline of the church consisted in a power to deprive men of all the benefits and privileges of baptism, by turning them out of the society and communion of the church, in which these privileges were only to be enjoyed; such as joining in public prayer, and receiving the eucharist, and other acts of Divine worship; and sometimes they were wholly forbidden to enter the church, so much as to hear the Scriptures read, or hear a sermon preached, till they showed some signs of relenting; and every one shunned and avoided them in common conversation, partly to establish the church's censures and proceedings against them, and partly to make them ashamed, and partly to secure themselves from the danger of contagion and infection.

Sect. 3. This power originally a mere spiritual power, though in some cases the secular arm was called in to give its assistance.

Thus far the church went in her censures by her own natural right and power, but no further; for her power originally was a mere spiritual power; her sword only a spiritual sword, as Cyprian[2] terms it, to affect the soul, and not the body. Over the bodies of men she pretended no power; no, nor yet over their estates, except such as were purely ecclesiastical, and of her

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[1] Book XII. chap. 5. and Scholastical History of Baptism, Part II. chap. 6.

[2] Cypr. Ep. 62. al. 4. ad Pompon. p. 9. Spirituali gladio superbi et contumaces necantur, dum de ecclesia ejiciuntur.

own donation, to resume what was her own property and gift from such as were contumacious and rebellious against her censures. In which case she sometimes craved assistance from the secular power, even whilst it was heathen, and more frequently when it was become Christian. Thus when the council of Antioch had deposed Paulus Samosatensis, and substituted Domnus in his room, but could not remove him by any power of their own from the house belonging to the church, which he still kept possession of, they had recourse to Aurelian, the heathen emperor, who did them justice upon appeal, ordering the house to be delivered to those to whom the bishops of Italy and Rome should write with approbation. And so, says Eusebius,[3] Paul was cast out of the church with the highest disgrace by the help of the secular power. This was more common after the emperors were become Christians; for then they could with greater liberty and confidence appeal to them, and beg their assistance upon such occasions. And then canons were made to authorize such addresses, that the censures of the church might have their effect and force upon contumacious and obstinate offenders. Such an order was made in the council of Antioch, anno 341, in the reign of Constantius, That if a presbyter, who set up a separate meeting against his bishop, and was, after admonition, deposed for his crime, still continued obstinately[4] to disturb and subvert the church, he should be corrected by the external power, that is, the civil magistrate, as a seditious person. Such another canon was made in the third council of Carthage,[5] in the case of one Cresconius, an African bishop, who, having left his own bishopric, and intruded himself into another, where he stayed in spite of all ecclesiastical censures, orders were given to petition the secular magistrate by his authority to remove him. And this canon was inserted as a general and standing rule into the African[6] Code. Where we have also a like constitution[7] against such presbyters as set up new bishoprics in the diocese of their own bishop without his consent; they were to be deprived and removed out of such places, as rebels, *ἀρχοντικῇ δυναστείᾳ*, by the governing power of the secular magistrate. And in another canon[8] mention is made of letters to be sent from the synod to the magistrates of Africa, to petition them to yield their assistance to their common mother, the catholic church, against the Donatists, forasmuch as the authority of bishops was contemned in every city. This petition is more particularly explained in another canon,[9] which grants a commission to certain bishops to go as legates, in the name of the church, to the emperors Arcadius and Honorius, and complain of the violences offered by the Donatists, who had invaded many of their churches, and kept them by force; against which they desired the emperors to grant them a suitable help by a military guard; it being no unusual thing, nor against the Scripture, to be protected, as St. Paul was, by a band of soldiers against the conspiracy of insolent and factious men. They requested also, that the emperors would put in execution the law, which Theodosius their father, of pious memory, had enacted against heretics, whereby every one that ordained, or was ordained by them, was amerced in the sum of ten pounds of gold. The law they refer to, is still extant in the Theodosian Code, running in these terms,[10] "If proof is made against any who are engaged in heretical errors, that they either have ordained clerks, or received the office of a clerk, a mulct of ten pounds in gold is by our order to be imposed upon them; and the place in which any of these unlawful things were attempted, if done by the connivance of the owner, shall be confiscated. But if the possessor was ignorant of the matter, then he that rented the farm, if he be a freeman, shall forfeit ten pounds of gold to the exchequer; or if he be descended of a servile condition, and cannot bear the penalty, then he shall be beaten with rods, and sent into banishment." This was that famous penal law of Theodosius against all heretics in general, so often mentioned by St. Austin; and which he, with the rest of the African fathers, desired Honorius to confirm, so as it might specify and affect the Donatists, more particularly such of them as by open or secret violence made assaults upon the catholic church. They did not desire that this penalty should be inflicted indifferently upon all the Donatists, but only such as the Circumcellions and others, who, in their mad zeal and fury, committed violent outrages against the catholics: but Honorius extended the penalty to them all, and enforced the old law of Theodosius his father by a new law of his own, wherein the Donatists were particularly named as heretics,[11] who, upon conviction, or confession, were to be fined in

[3] Euseb. lib. 7. cap. 30. *Μετὰ τῆς ἐσχάτης αἰσχύνης ὑπὸ τῆς κοσμικῆς ἀρχῆς ἐξελαύνεται τῆς ἐκκλησίας.*

[4] Conc. Antioch. can. 5. *Εἰ δὲ παραμένοι θορυβῶν καὶ ἀναστατῶν τὴν ἐκκλησίαν, διὰ τῆς ἔξωθεν ἐξουσίας ὡς στασιώδη αὐτὸν ἐπιστρέφεσθαι.*

[5] Conc. Carth. 3. can. 38. Dignemini dare fiduciam, qua, necessitate ipsa cogente, liberum sit ad præsidem regionis adversus illum accedere, secundum constitutiones Cl. imperatorum——ut secularis magistratus auctoritate prohibeatur.

[6] Cod. Afric. can. 49. [7] Ibid. can. 54.

[8] Ibid. can. 68. [9] Ibid. can. 93. al. 95.

[10] Cod. Theod. lib. 16. Tit. 5. de Hæreticis, Leg. 21. In hæreticis erroribus quoscunque constiterit vel ordinasse clericos, vel suscepisse officium clericorum, denis libris auri viritim multandos esse censemus, &c.

[11] Ibid. 39. Donatistæ superstitionis hæreticos, quocunque loci, vel fatentes, vel convictos, legis tenore servato, pœnam debitam absque dilatione persolvere decernimus.

the sum of ten pounds of gold, according to the tenor of the former law. No one better understood either the reasons or the effects of this law than St. Austin, and therefore it cannot be better explained than as Gothofred does it, in his words. Now he, writing to Count Boniface, an African magistrate, gives this account of it: Before those laws, says he,[12] were sent into Africa, which compel heretics to come in to the church, some of our brethren, among whom I was one, were of opinion, that although the madness of the Donatists raged every where, yet we should not petition the emperors to forbid any one simply to be of that heresy, by inflicting punishment on all that embraced it; but only desire them to make a law to restrain them from offering violence to any that either preached or held the catholic faith. Which we thought might in some measure be done after this manner: If the law of Theodosius, of pious memory, which he had promulged against all heretics in general, That whoever was found to be a bishop or clerk, any where among them, should forfeit ten pounds in gold, were more expressly confirmed against the Donatists (who denied themselves to be heretics) in such a manner, as that the penalty should not be inflicted upon them all, but only upon such in whose regions the catholic church suffered violence from their clergy, or the Circumcellions, or their people, so as after the protestation of the catholics, who suffered from them, the magistrates should compel their bishops or ministers to pay the fine. For so we thought that by this means they might be terrified from daring any such attempts, and the catholic truth might be taught and held freely, so as no one should be compelled to it, but every one that would might embrace it without fear, and we should have no false or counterfeit catholics. And though others of our brethren were of a different opinion, (who by their age had greater experience, and could plead the example of many cities and places where we saw the catholic church firmly and truly settled, which yet was there settled by such kind methods of Divine Providence, whilst men were compelled by the laws of former emperors to come in to the catholic communion,) yet, notwithstanding this, we prevailed, that our petition should be presented to the emperors in the foresaid form. And thereupon a decree was drawn up in council, and our legates were despatched to court. But the greater mercy of God (who better knew how necessary the terror of such laws and a little medicinal trouble is, for the wicked or cold hearts of many men, and for that hardness of mind which cannot be corrected by words, but may by a little severity of discipline) so ordered the matter, that our legates could not obtain the thing they had undertaken. For before they could get to court to present our petition, several grievous complaints had been made by the bishops of other places, who had suffered extremely from the Donatists, and were driven from their sees by them: especially the horrible and incredible murder of Maximian, the catholic bishop of Vaga, made it impossible for our embassy to succeed. For now a law was already promulged against the barbarous Donatist heresy, the very sparing which seemed more cruel than the cruelty which themselves exercised, that not only its violence, but its very being should not be tolerated, or suffered to go unpunished. Yet, to observe Christian meekness, even toward the unworthy, the penalty proposed was not death, but only a pecuniary mulct, and banishment for the bishops and ministers. Then relating particularly the barbarous usage of Maximian, and their unparalleled cruelty towards him, he adds, That the emperor, being well apprized of these facts, in his great piety and concern for religion, chose rather universally to correct that impious error by wholesome laws, and reduce those, who carried the badge of Christ against Christ, to catholic unity by terror and punishment, than barely to take from them the liberty of exercising their cruelty, and leave them at liberty to err and perish. He observes further, That as soon as ever these laws appeared in Africa, they wrought wonderful effects upon the minds of men; for immediately all such as waited only for a proper occasion, or were kept back merely by the dread of the cruelty of those frantic men, or were afraid to offend their relations, came over at once to the catholic church. Many also who were detained in schism merely by the custom they had been trained up to by their parents, but had never spent a thought about the grounds and reasons of their error, nor would consider or make any inquiry into the merits of the cause; when once they began to consider it, and found nothing in it worth suffering so great loss, they without any difficulty became catholic Christians. For a concern for their own safety brought them to understanding, who before were grown negligent by security. Many also, who were less capable of understanding and judging by themselves, what was the difference between the error of the Donatists and the catholic truth, were induced to follow the authority and persuasion of so many examples going before them. So the true mother received great multitudes of people into her bosom

[12] Aug. Ep. 50. ad Bonifac. p. 84. Antequam istæ leges, quibus ad convivium sanctum coguntur intrare, in Africam mitterentur, nonnullis fratribus, in quibus et ego eram, quamvis Donatistarum rabies usquequaque sæviret, videbatur non esse petendum ab imperatoribus, ut ipsam hæresin juberent omnino non esse, pœnam constituendo eis, qui in illa esse voluissent, sed hoc potius constituerent, ut eorum furiosas violentias non paterentur, qui veritatem catholicam vel prædicarent loquendo, vel legerent constituendo, &c.

again rejoicing, and only a hardened company remained obstinate by their unhappy animosity in that pernicious way. And many of these also communicated with the church by a sort of dissimulation; but they who at first dissembled, afterwards by degrees accustoming themselves to the way of the church, and hearing the preaching of truth, especially after the conference and disputation which was held between their bishops and us at Carthage, did at last for the most part correct their errors also.

This is the account which St. Austin gives both of the reasons and effects of this penal law, which he frequently[13] mentions in other places, carefully collected by Gothofred, but needless here to be recited. I only observe these few things upon the whole matter. 1. That though it was no part of the church's discipline to use any manner of force to give effect to her censures; yet, in case of obstinate opposition and contempt, she did not think it unlawful to take the assistance of the secular power. 2. That in case of violence offered to the church, or any of her ministers or her members, there was still more reason to petition for defence against them. 3. That it was generally thought useful to inflict some moderate temporal punishments upon obstinate heretics, and schismatics, and other offenders, (with a liberty of indulging, and remitting the penalty, as prudence directed,) in order to bring them to consider and examine the grounds of truth and error, and humble them by repentance, and restore them to the communion of the church from whence they were fallen.

Sect. 4. This assistance never required to proceed so far, as, for mere error, to take away life, or shed blood.

But then it is also to be considered, that the church never encouraged any magistrate to proceed further in her behalf against any one for any mere error, or ecclesiastical misdemeanor, than to punish the delinquent with a pecuniary mulct, or bodily punishment short of death, such as confiscation or banishment, unless it were in case of capital crimes, and of a civil nature, which fell directly under the cognizance of the civil magistrate, as treason or rebellion, which the imperial laws punished with death. There are indeed some laws in the Theodosian Code, which order heretics to be prosecuted with capital punishments. Theodosius[14] made a decree against some of the Manichees, which went by the name of *Encratites*, *Saccophori*, and *Hydroparastatæ*, that they should be punished with death, at the same time that the *Solitarii*, another sect among them, should only suffer confiscation. And Honorius renewed the same law[15] against them. And in two other laws he ordered the Donatists[16] in Africa to be put to death, if they held any public conventicles to the prejudice of the catholic faith, revoking all tolerations that had been granted them before. But as these laws were very rare, so they may be supposed to be made upon some particular provocation of their enormities, such as the Manichees were guilty of; or their barbarous outrages committed against the catholics, such as the Circumcellions among the Donatists every where stand charged with. Then, again, it was as rare to find these laws at any time put in execution against them; for we scarce find an instance before Priscillian of any heretic suffering death barely for his opinion. Sozomen, speaking of this law of Theodosius, says, It was made more for terror[17] than execution. And Chrysostom at the same time delivered his opinion freely, That the tares were not thus to be rooted out; for if heretics[18] were to be put to death, there would be nothing but eternal war in the world. Christ does not prohibit us to restrain heretics, to stop their mouths, to cut off their liberty, and their meetings, and their conspiracies, but only to kill and slay them. St. Austin seems not to have known any thing of this law of Theodosius; and for those of Honorius, they were not yet enacted against the Donatists, when he wrote against them. Therefore, writing frequently to the African magistrates, he tells them, The law gave them no power to put any Donatist to death. Thus in his letter[19] to Dulcitius the tribune, You, says he, have not received the power of the sword against them by any laws; neither by any imperial injunctions, which you are obliged to execute, are you commanded to put them to death. So he tells Petilian, the Donatist bishop, That God had so ordered the matter in his providence, having the hearts of kings in his hand, that though the emperor had made many laws to admonish and correct[20] them, yet there was no imperial law which commanded them to be put to death. The judges indeed had power to punish malefactors with death, as murderers, and the like; and so perhaps some of the Donatists might suffer;

[13] Aug. Ep. 68. ad Januar. Donatist. Ep. 166. ad Donatistas. Ep. 173. ad Crispinum Donatist. Cont. Crescon. lib. 3. cap. 47. Cont. Liter. Petilian. lib. 2. cap. 83.

[14] Cod. Theod. lib. 16. Tit. 5. de Hæreticis, Leg. 9. Summo supplicio et inexpiabili pœna jubemus affligi.

[15] Ibid. Leg. 35.

[16] Ibid. Leg. 51. Oraculo penitus remoto, quo ad ritus suos hæreticæ superstitiones obrepserant, sciant omnes sanctæ legis inimici plectendos se pœna proscriptionis et sanguinis, si ultra convenire per publicum, execranda sceleris sui temeritate temptaverint. An. 410. Vid. ibid. Leg. 56.

[17] Sozom. lib. 7. c. 12.

[18] Chrys. Hom. 47. in Mat. p. 422. Οὐ γὰρ δεῖ ἀναιρεῖν αἱρετικὸν· ἐπεὶ πόλεμος ἄσπονδος εἰς τὴν οἰκουμένην ἔμελλεν εἰσάγεσθαι, κ.τ.λ.

[19] Aug. Ep. 61. ad Dulcitium. Non tu in eos jus gladii ullis legibus accepisti, aut imperialibus constitutis, quorum tibi injuncta est executio, hoc præceptum est, ut necentur.

[20] Aug. cont. Literas Petiliani, lib. 2. cap. 86. Multas ad vos commonendos et corripiendos leges ipse constituit: nulla tamen lex regia vos jussit occidi.

but that was not for their opinion barely. And even in that case, when it was the cause of the church, the catholic bishops commonly interceded for them, that the deaths of their martyrs might not be revenged with blood. For no good men in the catholic church, says St. Austin,[21] are pleased to have any one, although he be a heretic, prosecuted unto death. Therefore, writing to one Donatus, a proconsul in Africa, he tells him, They desired[22] that the terror of judges and laws might correct them, so as to preserve them from the punishment of eternal judgment, but not kill them; that discipline might not be neglected toward them, and yet that they might not undergo the punishment which they really deserved. Therefore punish their crimes in such manner, as that the authors may continue in being, to repent of them. We beseech you, when any cause of the church comes before you, although you know the church to be assaulted and afflicted by their injurious villanies, yet then forget that you have the power of killing, and do not forget our petition. Let it not seem vile and contemptible in your eyes, that we who pray to God to correct them, intercede with you not to kill them. Let your prudence also consider this, that no one besides ecclesiastics is concerned to bring ecclesiastical causes before you: so that if you should resolve to put such criminals to death, who are accused of acting wickedly against the church, you will deter us from bringing any more such actions before your tribunal; and that will make them more licentious and daringly bold to assault us, and work our ruin, when they know we are under such a necessity, to choose rather to be slain by them, than bring them to be slain before your tribunals. He pleads after the same manner in another letter[23] to Marcellinus the tribune, in behalf of some Donatists, who confessed themselves guilty of murdering some of the catholic clergy. I beseech you, says he, let their punishment be short of death, though their crimes be so great, both for our conscience' sake, and to commend the lenity and meekness of the catholic church. A little after he entreats him to intercede in his name to the proconsul for them. I hear it is in the power of the judge to mollify the rigour of the law in giving sentence, and to use greater mildness in punishing than the laws command. But if he will not at my request consent to this, let him, however, grant me this favour, to keep them in prison till I can send to the emperor, and obtain of his clemency,[24] that the passions or martyrdoms of the servants of God, which ought to be glorious in the church, be not stained and defiled with the blood of their enemies. He urges the same argument in his next letter to this Marcellinus with greater earnestness, conjuring him, by all that is sacred, not to proceed to the utmost extremity against some Circumcellions and Donatist clergy, who were convicted of murdering two of his presbyters belonging to the church of Hippo, after having first barbarously struck out an eye and cut off the finger of one of them. I am under the greatest concern imaginable, says he, lest your Highness should decree their punishment by the utmost severity of the law, to make them suffer the same[25] things that they have done. Therefore I beseech you in these letters, by the faith which you have in Christ, by the mercy of the Lord Jesus, that you neither do this, nor suffer it to be done. For though we might excuse ourselves from their death, forasmuch as it was not by any accusation of ours, but by the information of those who have the care of preserving the public peace, that they were brought in question; yet we would not have the passions of the servants of God be revenged with the like punishments, as it were by way of retaliation. Not that we are against depriving wicked men of the liberty of committing such villanous actions, but because we rather think it sufficient, without either killing them, or maiming them in any part of their body, to bring them by coercion of the laws from these mad and turbulent practices, to live peaceably and soberly, or at least, instead of these wicked works, to engage them in some useful employment. He yet again more pathetically urges the same matter to one Apringius, another African judge,[26] in these very affectionate and moving terms, pleading for mercy toward the same Circumcellions: I am afraid lest they, who have committed this murder, should be sentenced to death by your power. That this may not be done, I that am a Christian beseech you the judge, I that am a bishop exhort you that are a Christian. I know the apostle says, "Ye bear not the sword in vain, but are ministers of God to execute wrath upon them that do evil." But the cause of the state is one thing, and the cause of the church another. The administration of that (the state) is

[21] Cont. Crescon. lib. 3. cap. 50. Nullis tamen bonis in catholica hoc placet, si usque ad mortem in quenquam, licet hæreticum, sæviatur.

[22] Ep. 127. ad Donat. Ex occasione terribilium judicum ac legum, ne in æterni judicii pœnas incidant, corrigi eos cupimus, non necari; nec disciplinam circa eos negligi volumus, nec suppliciis quibus digni sunt, exerceri, &c.

[23] Ibid. 158. ad Marcellin. Pœna sane illorum, quamvis de tantis sceleribus confessorum, rogo te ut præter supplicium mortis sit, et propter conscientiam nostram, et propter catholicam mansuetudinem commendandam.

[24] Ibid. Hoc de clementia imperatoris impetrare curabimus, ne passiones servorum Dei, quæ debent esse in ecclesia gloriosæ, inimicorum sanguine dehonestentur.

[25] Ibid. 159. Sollicitudo mihi maxima incussa est, ne forte sublimitas tua censeat, eos tanta legum severitate plectendos, ut qualia fecerunt, talia patiantur.—Nolumus passiones servorum Dei quasi vice talionis paribus suppliciis vindicari.

[26] Ibid. 160. ad Apringium.

to be carried on by terror, but the meekness of the church is to be commended by her clemency. Then, using several arguments, he adds a little after, If nothing short of death could be imposed upon them, for our part we had rather they should be set at liberty, than that the passions of our brethren should be revenged by shedding the blood of their enemies. But now, since there is room both to show the gentleness of the church, and also to restrain the audaciousness of the cruel, why should you not incline to the more provident side and milder sentence, which judges have liberty to do even in causes where the church is not concerned? Therefore stand in awe with us of the judgment of God the Father, and demonstrate the clemency of the church your mother. For what you do, the church does, for whose sake you do it, and whose you are that do it. Therefore contend and vie goodness with the evil. They, by monstrous inhumanity and wickedness, tear off the members from the living body: do you in mercy cause their members, which were exercised in such barbarous works, to remain whole and untouched in them, that they may henceforth serve to work at some useful labour. They spared not the servants of God preaching reformation to them, but do you spare them that have been apprehended in their crimes, spare them that have been presented to your examination, spare them that have been convicted before you. They with the sword of unrighteousness shed Christian blood: do you withhold even the lawful sword of judgment from being imbrued in their blood. They slew the minister of the church, and thereby deprived him of the time of living: do you let the enemies of the church live, and thereby grant them a time of repenting. Thus it becomes a Christian judge to act in the cause of the church, at our request, at our admonition, at our intercession. Other men are wont to appeal from the mildness of the sentence, when their enemies are too favourably dealt with upon conviction; but we so love our enemies, that if we did not presume upon your Christian obedience, we should appeal from the severity of your sentence.

After this manner St. Austin always pleads for favour to be showed to the Donatists, that they should not be prosecuted unto blood, in the cause of the church, though it were for a capital crime, which in a civil case would infallibly have been punished with death without redemption. And certainly they, who were so tender of their enemies' lives, when they were guilty of such flagrant crimes of violent outrages against the church, could never think it lawful to sentence them to death for mere error in opinion. And therefore, though Honorius made some such laws after St. Austin had written all this, yet we never find the church approved them, or desired they should be put in execution: but, on the contrary, always stood firm to her own character, which we have heard before in the words of St. Austin; that is, That no good men in the catholic church were pleased with having heretics prosecuted unto death. Lesser punishments, they thought, might have their use, as means sometimes to bring them to consideration and repentance; but to take away their lives was to deprive them at once of all means and opportunity of repenting. Besides that it was invidious to the church, and rather a confirmation to heresy; for such as were slain, were always reckoned martyrs by their party. Thus the Donatists honoured their Circumcellions, which were slain in the encounter with Macarius, whom the emperor Constans sent into Africa in a peaceable manner, to scatter his gifts among them, and try to reduce them to unity by his kindness: they were the aggressors, and forced him to require aid of the governors to defend himself against their assaults; and yet those that were slain in so necessary defence, were by them reputed martyrs, and the catholics were nicknamed Macarians, and these called the Macarian days, that is, in their language, days of persecution. And in answer to this, Optatus was forced to tell them, first, that the fact was false: No violence was used toward them; there was no terror in the first design; they neither felt rod, nor imprisonment; but only exhortations [27] to peace. And, secondly, if any violence was offered to them, they called it upon themselves by their own insolence, obliging the emperor's officer or almoner to defend himself against the rude insults of the Circumcellions. Meanwhile whatever happened was neither done by the desire, nor the counsel, nor the knowledge, nor the concurrence of the church. A like instance happened in the case of the Priscillianists. Priscillian and some of his accomplices were, by Maximus the emperor, at the instigation of Ithacius, a fierce and sanguinary bishop, sentenced unto death. This gave occasion to the followers of Priscillian to triumph in the sufferings of their leader. For, as Sulpicius Severus observes,[28] his death was so far from suppressing the heresy, that it gave confirmation to it, and made it spread further than otherwise it would have done. For his followers, who before honoured him as a saint, afterwards began to reverence him as a martyr. The thing was utterly displeasing to all good men who

[27] Optat. lib. 3. p. 62. Nullus erat primitus terror. Nemo viderat virgam; nemo custodiam: sola fuerant hortamenta, &c. Et tamen horum omnium nihil actum est cum voto nostro, nihil cum consilio, nihil cum conscientia, nihil cum opere.

[28] Sever. Hist. lib. 2. p. 120. Priscilliano occiso, non solum non repressa est hæresis, quæ illo authore proruperat, sed confirmata, latius propagata est. Namque sectatores ejus, qui eum prius ut sanctum honoraverant, postea ut martyrem colere cœperunt.

were interested and attached to the Ithacian party. St. Martin, bishop of Tours, not only rebuked Ithacius for his over-zealous prosecution,[29] but interceded with Maximus the emperor to abstain from shedding their blood, telling him, it was enough to expel heretics from their churches, after they were once condemned by the episcopal judgment: and he obtained a promise of Maximus, not to decree any thing against their lives. From which when he departed by the persuasion of others, and condemned them to death, St. Martin would never after be induced to communicate with those sanguinary men, save once in a small matter, of which he also repented, and continued his aversion to them all his days, as the same historian informs us.[30] Now, from all this it is plain, that whatever favour or assistance the ancient church required of the civil magistrates, to back her discipline with against heretics or other delinquents, she never desired them to unsheath the sword in her cause, or punish them with death; but always interposed in their behalf, that they might have the favour to live and repent, if ever any sanguinary laws (which were very rare, and no ways encouraged or approved by the church) were made against them. The discipline of fire and faggot, and inquisitions, and a thousand other tortures, which, under pretence of mercy, has spilt so much Christian blood, are inventions of later ages, and more corrupt and degenerate times, when men had forgot the spirit of Christianity, and the character of our blessed Lord, who came not to destroy men's lives, but to save them.

Sect. 5. The discipline of the church deprived no man of his natural or civil rights; much less the magistrate of his power, or allegiance due to him.

It was no part of the ancient discipline, to deprive men of their natural or civil rights. A master did not lose his natural authority over his family, nor a parent over his children, by losing the privileges of Christian communion. A judge did not lose his office or charge in the state, by being cast out of the church. For many such enjoyed their power and jurisdiction under Constantius and other heretical princes, notwithstanding the church's censures. Though now it is the common doctrine of the Romish church, as Cardinal Tolet[31] delivers it for the instruction of priests, that an excommunicated person cannot exercise any act of jurisdiction without sin; nay, and if his excommunication be made public, all his sentences are null and of no effect. This rule is designed against sovereign powers, to weaken the hands of princes by displacing their officers, under pretence of excommunication. But the church of Rome goes further, and puts it in the power of the pope to lay princes under the highest excommunication, or anathema, and then by virtue of that to depose them from their thrones, and absolve subjects from their allegiance, and dispose of their kingdoms to whom they think fit. Of which practice there is not the least footstep in all the discipline of the primitive church for many ages, nor scarce any unquestionable instance of such an attempt before the time of Pope Hildebrand, or Gregory VII., (from whom this doctrine is called the Hildebrandin doctrine,) as some of their own historians ingenuously confess. I have read over and over again, says Otho Frisingensis,[32] a noble German bishop, the records of the Roman kings and emperors, and I no where find that any of them before this was excommunicated, or deprived of his kingdom, by the bishop of Rome; unless any one think fit to call that anathematizing, when Philip the emperor was placed among the penitents for a little time by the Roman bishop; or when Theodosius, for his cruel slaughter of the Thessalonians, was debarred from entering the church by St. Ambrose. There is no question but that princes anciently were sometimes denied the communion, as St. Ambrose denied Theodosius; but as that was not properly putting them under the great excommunication, or anathema, so much less was it depriving them of their legal power and dominion. Constantius was a heretic, and Julian an apostate; Valens and Valentinian the younger were professed Arians; Anastasius and many others, abettors and propugners of several heresies; yet the church never pretended to withdraw her allegiance from them, or depose them: neither was this for want of power, as Bellarmine and others commonly pretend, but for want of just authority and right; for the church in those days knew nothing either of a direct or indirect power, that the pope or any other bishop had over the temporal rights of princes, but professed obedience to them, whether they were heathens, or heretics; in the church, or out of the church; persecutors, or friends; as the reader, that pleases, may see more fully demonstrated in the elaborate work of our learned Bishop Buckridge, in defence of Barclay against Bellarmine, concerning the pretended power of the pope in temporals, and his

[29] Sever. Hist. lib. 2. p. 119. Non desinebat increpare Ithacium, ut ab accusatione desisteret: Maximum orare, ut sanguine infelicium abstineret: satis superque sufficere, ut episcopali sententia hæretici judicati ecclesiis pellerentur, &c.

[30] Sever. Dial. 3. n. 15.

[31] Tolet. de Instruct. Sacerdot. lib. 1. cap. 3. Excommunicatus non potest exercere actum jurisdictionis absque peccato: imo si publica est excommunicatio facta, sententiæ nullæ sunt. Vid. Du Moulin's Buckler of Faith, p. 370. Et Decretal. Gregor. lib. 2. Tit. 27. De Sententia et Re Judic. cap. 24.

[32] Otho Frising. lib. 6. cap. 35. Lego et relego Romanorum regum et imperatorum gesta, et nusquam invenio quenquam eorum ante hunc a Romano pontifice excommunicatum, vel regno privatum, nisi quis forte pro anathemate habendum ducat, quod Philippus ad breve tempus a Romano episcopo inter pœnitentes collocatus; et Theodosius a beato Ambrosio propter cruentam cædem a liminibus ecclesiæ sequestratus sit.

usurpation of a right to dethrone princes.[33] Where, among many other unanswerable arguments, he confirms the forementioned observation of Otho Frisingensis, that Hildebrand was the first that put this wicked doctrine in practice against the emperor Henry IV., from the concurrent testimony of almost twenty writers of the Roman communion. I shall pursue this matter no further here, having said what is sufficient to confirm this remark about the discipline of the church, that it deprived no man of his natural or civil rights, much less gave any one authority to dethrone princes, or absolve subjects from their allegiance, or dispose of their kingdoms under pretence of setting up the spiritual sword above the temporal.

Sect. 6. But consisted, 1st, In admonition of the offender.

But the discipline of the church, being a mere spiritual power, was confined to these following acts. First, The admonition of the offender; which was solemnly repeated once or twice commonly, before they proceeded to greater severities, according to that of the apostle, "A man that is an heretic, after the first and second admonition reject." After this manner St. Ambrose[34] represents their proceedings: A putrified member of the body is never cut off but with grief: we try a long time, whether it cannot be healed with medicines; if not, then a good physician cuts it off. Such is the affection of a good bishop; he is very desirous first to heal the infirm, to put a stop to growing ulcers, to burn and sear a little, and not cut off; at last he cuts off with grief what cannot be healed. So Prosper[35] says, They that, being long endured, and often kindly admonished, will not be corrected, are cut off as putrified members with the sword of excommunication.

And thus Synesius represents his own proceedings against Andronicus, the tyrannical governor of Ptolemais, who made use of his power only to oppress and vex the people. He first tried whether admonitions and remonstrances against his cruelty[36] would work upon him; but when they proved ineffectual, and the man grew more outrageous and incorrigible, breaking out into that blasphemous expression, That in vain did any man hope for succour from the church; and that no man should escape his hands, although he laid hold of the foot of Christ himself: after this, says Synesius,[37] he was no longer to be admonished, but cut off as an incurable member, for fear the sound parts should be corrupted by his society and contagion. And so he proceeded to pronounce that formal excommunication against him, which we shall hear more of by and by.

Sect. 7. 2dly, In suspension from the communion, called the lesser excommunication.

Some call this the προθεσμία, the warning, or time[38] given them to repent, which was limited sometimes to the space of ten days:[39] after which, if they continued obstinate and refractory, the church proceeded to greater severities, to deny them communion by the lesser or greater excommunication. The lesser excommunication was commonly called, ἀφορισμὸς, separation or suspension: and it consisted in excluding men from the participation of the eucharist, and prayers of the faithful; but did not expel them the church: for still they might stay to hear the psalmody, and reading of the Scriptures, and the sermon, and the prayers of the catechumens and the penitents, and then depart with them, when that first service, called the service of the catechumens, was ended. Theodoret expressly distinguishes this lesser excommunication from the greater, when, speaking of some who had lapsed into sin rather by infirmity than maliciousness, he says, They should be[40] debarred from partaking of the holy mysteries, but not debarred from the prayers or service of the catechumens. And thus we are to understand that canon of Gregory Thaumaturgus,[41] which orders such to be excommunicated from prayers, as detained the goods of their brethren (which they had lost in the invasion of the barbarians) under pretence of having found them. Prayers, there, means the prayers of the faithful at the altar, or the communion service, from which they were suspended, and not the prayers of the catechumens, at which they might be present notwithstanding their suspension from the other. So that this was a lower degree of punishment, excluding them in part only from the society of the faithful, that is, from the common prayers and the eucharist, but not totally expelling them the church. And it was commonly inflicted for lesser crimes; or if for greater, upon such sinners only as showed immediately a ready disposition to submit to the

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[33] Joan. Roffensis, de Potestate Papæ in Rebus Temporalibus, &c. Lond. 1614. Lib. 2. cap. 10.

[34] Ambros. de Offic. lib. 2. cap. 27. Cum dolore amputatur etiam quæ putruit pars corporis, et diu tractatur si potest sanari medicamentis; si non potest, tunc a medico bono absciuditur. Sic episcopi affectus boni est, ut oportet sanare infirmos, serpentia auferre ulcera, adurere aliqua, non abscindere: postremo quod sanari non potest, cum dolore abscindere.

[35] Prosper. de Vit. Contemplat. lib. 2. cap. 7. Qui diu portati et salubriter objurgati, corrigi noluerint, tanquam putres corporis partes debent ferro excommunicationis abscindi.

[36] Synes. Ep. 57.

[37] Synes. Ep. 58. p. 199. Οὐκέτι νουθετέος ὁ ἄνθρωπος, ἀλλ' ὥσπερ μέλος ἀνιάτως ἔχον, ἀποκοπτεὸς, κ.τ.λ.

[38] Habert. Archieratic. p. 739. ex Epist. Joan. Antioch. ad Nestorium.

[39] Celestin. Ep. ad Nestor.

[40] Theod. Ep. 77. ad Eulalium, t. 3. p. 947. Κωλυέσθωσαν μὲν τῆς μεταλήψεως· τῶν ἱερῶν μυστηρίων, μὴ κωλυέσθωσαν δὲ τῆς τῶν κατηχουμένων εὐχῆς, κ.τ.λ.

[41] Greg. Thaumaturg. can. 5. Οὓς δεῖ ἐκκηρύξαι τῶν εὐχῶν. Vid. Conc. Ilerdens. can. 4.

laws of repentance; there being something in their forwardness to entitle them to a more favourable sentence. The council of Eliberis[42] orders this sort of abstention from the eucharist for three weeks to be inflicted on those, who, without any necessary avocation, neglected to come to church for three Lord's days together. And in another canon[43] suspends such virgins for a year, as were guilty of antinuptial fornication; ordering them to be received again without public penance, provided they were married to the persons by whom they were defiled, living chastely with them for the future. Albaspiny here rightly observes, That this was only depriving them of the eucharist, for they were neither expelled the church, nor obliged to go through any of the stages of public penance, but might pray with the catechumens, and with the faithful also; only they were not allowed to participate of the holy mysteries till their term was expired, and therein their punishment consisted. St. Basil's Canons[44] speak of the same punishment for trigamists, or persons that were married a third time. They were to be under penance for five years; half the time to be hearers only, and half the time co-standers; that is, they might stay to hear the prayers of the faithful, but not partake of the communion with them. So that here were two degrees of this lesser excommunication; the one excluding them only from the eucharist, but allowing them to pray with the faithful; and the other excluding them from the prayers of the faithful, and only allowing them to pray with the catechumens; but neither of them expelling such delinquents totally from the communion of the church.

Sect. 8. 3dly, In expulsion from the church, called the greater excommunication, total separation, anathema, and the like.

The greater excommunication was, when men were totally expelled the church, and separated from all communion in holy offices with her. Whence in the ancient canons it is distinguished by the names of *παντελὴς ἀφορισμὸς*, the total separation, and anathema, the curse; it being the greatest curse that could be laid upon man. It is frequently also signified by the several terms and phrases of, *ἀπείργεσθαι τῆς ἐκκλησίας, ἀποκλείεσθαι* and *ῥίπτεσθαι τῆς ἐκκλησίας, ἐκτὸς εἶναι, ἐκκηρύττεσθαι τῆς συνόδου, ἀπεῖρξαι τῆς ἀκροάσεως, κ.τ.λ.* All which denote men's being wholly cast out of the church, by the most formal excommunication, and debarred not only from the eucharist, but from the prayers, and hearing the Scriptures, in any assembly of the church. This form is elegantly expressed by Synesius, with all the appendages and consequents of it, in his excommunication of Andronicus, mentioned before, in these words: "Now that the man is no longer to be admonished, but cut off as an incurable member, the church of Ptolemais makes this declaration[45] or injunction to all her sister churches throughout the world: Let no church of God be open to Andronicus and his accomplices; to Thoas and his accomplices; but let every sacred temple and sanctuary be shut against them. The devil has no part in paradise; though he privily creep in, he is driven out again. I therefore admonish both private men and magistrates, neither to receive them under their roof, nor to their table; and priests more especially, that they neither converse with them living, nor attend their funerals when dead. And if any one despise this church, as being only a small city, and receive those that are excommunicated by her, as if there was no necessity of observing the rules of a poor church; let them know, that they divide the church by schism, which Christ would have to be one. And whoever does so, whether he be Levite, presbyter, or bishop, shall be ranked in the same class with Andronicus: we will neither give them the right hand of fellowship, nor eat at the same table with them; and much less will we communicate in the sacred mysteries with them, who choose to have part with Andronicus and Thoas." I have recited this whole form, not only because it is curiously drawn up by an excellent pen, but also because it opens the way into the further knowledge of the discipline of the church. For here we may observe four things, as concomitants, or immediate consequents, of this greater excommunication. 1. That casting out of the church, is represented under the image of casting out of paradise, and paralleled with it, in the form of excommunication. 2. That as soon as any one was struck out of the list of his own church, notice was given thereof to the neighbouring churches, and sometimes to the churches over all the world, that all churches might confirm and ratify this act of discipline, by refusing to admit such a one to their communion. Forasmuch as that, 3. He that was legally excommunicated in one church, was, by the laws of catholic unity, and rules of right discipline, to be held excommunicate in all churches, till he had given just and reasonable satisfaction: and for any church to receive such a one into her communion, was so great an offence, as to be thought to deserve the same punishment with the offending criminal. 4. That when men were thus excommunicated, they were not only excluded from communion in sacred things, but shunned and avoided in civil conversation as dangerous and infected persons. All these things are evident from this single passage of Synesius; but because the

[42] Conc. Eliber. can. 21. Si quis in civitate positus, tres Dominicas ad ecclesiam non accesserit, tanto tempore abstineat, ut correptus esse videatur.

[43] Ibid. can. 14. Virgines quæ virginitatem suam non custodierint, si eosdem qui eas violaverint, duxerint et tenuerint; eo quod solas nuptias violaverint, post annum sine pœnitentia reconciliari debebunt. Vid. Albaspin. in loc.

[44] Basil. can. 4.

[45] Synes. Ep. 58. p. 199.

knowledge of the manner of exercising ecclesiastical discipline depends upon the truth of them, it will not be amiss a little more distinctly to explain and confirm them. First, then, I observe, that casting out of the church is here represented under the image of paradise, and paralleled with it in the form of excommunication. And so it is said by St. Jerom,[46] That sinners transgress the covenant of God in the church, as Adam did in paradise; and show themselves followers of their first father, that they may be cast out of the church, as he was out of paradise. In like manner St. Austin, speaking of Adam's expulsion out of paradise,[47] says, It was a sort of excommunication: as now in our paradise, that is, the church, men by ecclesiastical discipline are removed from the visible sacraments of the altar. And Epiphanius[48] notes the same custom, as more nicely observed by the sect of the Adamians: for if any one was taken in a crime, they would not suffer him to come into their assembly, but called him Adam, the eater of the forbidden fruit, and adjudged him to be expelled, as out of paradise, that is, their church. So that this was a common form or phrase both in the discipline of heretics and the church.

Sect. 9. This sort of excommunication was commonly notified to all other churches.

Secondly, I observe, that as soon as any one was in this manner excommunicated by any church, notice thereof was commonly given to other churches, and sometimes by circular letters to all eminent churches over all the world, that all churches might confirm and ratify this act of discipline, by refusing to admit such a one to their communion. To this purpose we find a canon in the first council of Toledo,[49] That if any powerful man oppress and spoil a clerk, or a poor man, or one of a religious life, and a bishop summon him before him, to have a trial, and he refuse to obey the summons; in that case he shall give notice by letter to all the bishops of the province, and to as many as possibly he can, that such a one be held excommunicate, till he obediently submits, and makes restitution. This was usually most punctually observed in the case of heretics and their condemnation. For so the historians[50] tell us, when Alexander, bishop of Alexandria, had deposed and anathematized Arius, he sent his circular letters to all churches, giving an account of his proceedings against him. And this was the constant practice in all councils, to send about their synodical letters, to signify what heretics they condemned, that all churches might be apprized of their errors, and refuse their communion to the authors of them. And thus every bishop was careful to inform his brethren and neighbouring churches, whenever he had occasion to use this severe punishment against any offender. Thus St. Austin, having deposed Victorinus, an aged subdeacon, and expelled him the church, because he was found hypocritically in private to have propagated the abominable heresy of the Manichees, writes to Deuterius, one of his fellow bishops, and tells him, he did not think it sufficient[51] to have used this congruous ecclesiastical severity against him, unless he also gave intimation of what he had done against him, that every one, being well apprized, might know how to be aware of him.

Sect. 10. After which he that was excommunicated in one church, was held excommunicate in all churches.

Then, thirdly, Whoever was thus excommunicated in one church, was held excommunicate in all churches. For such was the perfect harmony and agreement of the catholic church, that every church was ready to ratify and confirm all acts of discipline exercised upon delinquents in any other church: so that he who was legally excommunicated in one church, was by the laws of catholic unity and rules of right discipline held excommunicate in all churches; and no church could or would receive him into communion, before he had given satisfaction to the church whereof he was a member: and to do otherwise, was to incur the same penalty that was inflicted upon the offending party. I have given some evidence of this before,[52] in speaking of the unity of the church: and here I shall a little further confirm it, to show the exactness of the ancient church in the administration of discipline, both from her laws and practice. Her laws are altogether uniform upon this point, and run universally in this tenor, That no person excommunicated in one church, should be received in another, except it were by the authority of a legal synod, to which there lay a just appeal, and which was allowed to judge in the case. There are two canons among those called Apostolical to this purpose: If any presbyter or deacon is suspended from

[46] Hieron. Com. in Hoseam, cap. 6. Prævaricati sunt pactum Dei in ecclesia, sicut Adam prævaricatus est in paradiso: et imitatores se antiqui parentis ostendunt, ut quomodo ille de paradiso, sic et isti ejiciantur de ecclesia.

[47] Aug. de Genesi ad Literam, lib. 11. cap. 40. t. 3. p. 273. Alienandus erat, tanquam excommunicatus: sicut etiam in hoc paradiso, id est, ecclesia, solent a sacramentis altaris visibilibus homines disciplina ecclesiastica removeri.

[48] Epiphan. Hær. 52.

[49] Conc. Tolet. 1. can. 11. Si quis de potentibus clericum, aut quemlibet pauperem, aut religiosum expoliaverit, et mandaverit eum ad se venire episcopus ut audiatur, et is contempserit; invicem mox scripta percurrant per omnes provinciæ episcopos, et quoscunque adire potuerint, ut excommunicatus habeatur ipse, donec obediat et reddat aliena.

[50] Socrat. lib. 1. cap. 6. Theod. lib. 1. cap. 4.

[51] Aug. Ep. 74. ad Deuterium. Ejus fictionem sub clerici specie vehementer exhorrui, eumque coercitum pellendum de civitate curavi: nec mihi hoc satis fuit, nisi et tuæ sanctitati eum meis literis intimarem, ut a clericorum gradu congrue ecclesiastica severitate dejectus, cavendus omnibus innotescat.

[52] Chap. 1. sect. 11

communion by his bishop,[53] he shall not be received by any other but the bishop that suspended him, except in case the bishop chance to die that suspended him. And again,[54] If any clergyman or layman, who is cast out of the church, be received in another city without commendatory letters, both he that received him, and he that is so received, shall be cast out of communion. The council of Nice is supposed to refer to these ancient canons, when it says,[55] The rule shall stand good according to the canon, which says, "He that is cast out by one bishop, shall not be received by another: but synods shall be held twice a year, to examine whether any one person was excommunicated unjustly, by the hasty passion, or contention, or any such irregular commotion of his bishop; and if it appear that he was excommunicated with reason, he shall be held excommunicate by all other bishops, till the synod think fit to show him favour." The council of Antioch[56] not long after renewed this canon: "If any one is excommunicated by his own bishop, he shall not be received by any other but the bishop that excommunicated him, unless upon appeal to the synod he give satisfaction, and receive another sentence from the synod." The learned reader may find many other canons to the same purpose in the councils of Eliberis,[57] and Sardica,[58] and Milevis,[59] and the first of Arles,[60] and Turin,[61] and Saragossa,[62] which all run in the same tenor, and need not here be repeated. It was by this rule and principle that Cornelius refused to admit Felicissimus to communion at Rome,[63] because he had been excommunicated by Cyprian at Carthage. And for the same reason Marcion, as has been noted before, could find no reception among the Roman clergy, because he was excommunicated by his own father, and had given no satisfaction to him, as Epiphanius[64] relates the story. St. Austin likewise, writing to one Quintian,[65] who lay under the censure of his bishop, tells him, that if he came to him, not communicating with his own bishop, he could not be received to communion with him. Nay, he had such a regard for this rule of discipline, that if a Donatist, that was under censure among his own bishops, pretended to come over to the catholic church,[66] he would not receive him without first obliging him to do the same penance that he should have done, had he stayed among them. And he greatly complains of the Donatist bishops, as dissolving all the bands of discipline, whilst they encouraged the greatest criminals, who were under discipline for their ill lives in the church, to come over to them, where they might escape doing penance, under pretence of receiving a new baptism: and then, as if they were renewed and sanctified, (though they were really made worse under pretence of new grace,) they could insult the discipline of the church, from which they fled, to the highest degree of sacrilegious madness. He gives an instance in one, who, being used to beat his mother, and threatening to kill her, was in danger of falling under the discipline of the church for these his insolent and unnatural cruelties: to avoid this he goes over to the Donatists, who, without any more ado,[67] rebaptize him in his madness, and put him on the white garment or alb of baptism, whilst he was fuming and thirsting after his mother's blood. So this man, who was meditating murder against his own mother, was by this means advanced to an eminent and conspicuous place within the chancel, and set as a sanctified creature before the eyes of all, who could not look upon him but with sighing and mourning. The truth is, this was a very scandalous practice in the Donatists, done purely to strengthen their party: and nothing has done more mischief to the church, or more enervated the power of ecclesiastical discipline, than the receiving of scandalous sinners, who fly from justice and the censures of the church, into other communions, and their protecting and even caressing them as saints, who ought to have been punished as the greatest criminals. Upon this account the church went as far as possibly she could, in making severe laws, to discourage this practice; inflicting the same penalty upon any one that received an excommunicate person into public or private communion, as the excommunicated person himself was liable to. Thus in the council of Antioch[68] one canon says, "If any bishop, presbyter, or deacon communicate with an excommunicated person, he himself shall be excommunicated, as one that confounds the order of

[53] Canon. Apost. 32.
[54] Ibid. can. 13. [55] Conc. Nic. can. 5.
[56] Conc. Antioch. can. 6. [57] Conc. Eliber. can. 53.
[58] Conc. Sardic. can. 13. [59] Conc. Milevit. can. 18.
[60] Conc. Arelat. 1. can. 16. [61] Conc. Turin. can. 4 et 6.
[62] Conc. Cæsaraugust. can. 5.
[63] Vid. Cypr. Ep. 55. al. 59. ad Cornel. p. 126.
[64] Epiphan. Hær. 42.
[65] Aug. Ep. 135. Si ad nos venires, venerabili episcopo non communicans, nec apud nos posses communicare.
[66] Aug. Ep. 149. ad Euseb. Ego istum modum servo, ut quisquis apud eos propter disciplinam degradatus ad catholicam transire voluerit, in humiliatione pœnitentiæ recipiatur, quo et ipsi eum forsitan cogerent, si apud eos manere voluisset. Ab eis vero considera, quæso te, quam execrabiliter fiat, ut quos male viventes ecclesiastica disciplina corripimus, persuadeatur eis ut ad alterum lavacrum veniant—deinde quasi renovati et quasi sanctificati, disciplinæ, quam ferre non potuerunt, deteriores facti sub specie novæ gratiæ, sacrilegio novi furoris insultent.
[67] Ibid. Ep. 168. ad eundem. Transit ad partem Donati, rebaptizatur furens, et in maternum sanguinem fremens albis vestibus candidatur. Constituitur intra cancellos eminens et conspicuus, et omnium gementium oculis matricidii meditator tanquam renovatus opponitur.
[68] Conc. Antioch. can. 2.

the church." Another,[69] "If any bishop receives a presbyter or deacon, deposed for contumacy by his own bishop, he shall be censured by a synod, as one that dissolves the laws of the church." And a third canon says,[70] "If any bishop deposed by a synod, or presbyter or deacon deposed by their own bishop, presume to officiate in any part of Divine service; they shall not only be incapable of being restored, but all that communicate with them shall be cast out of the church; especially if they do so after they know that sentence was pronounced against them." In like manner the first council of Orange, If any bishop presume to communicate[71] with one that is excommunicate, knowing him to be so, without his being reconciled to the bishop by whom he was excommunicated, he shall be treated as a guilty person. The second council of Carthage[72] says more expressly, That a bishop, presbyter, or deacon, who receives those into communion, who were deservedly cast out of the church for their crimes, shall be held guilty of the same crimes with them. The fourth council of Carthage[73] declares universally, Whoever he be, clergyman or layman, that communicates with an excommunicate person, shall himself be excommunicated. St. Basil's words are very remarkable[74] to an offender whom he threatened to excommunicate, Thou shalt be anathema to all the people, and whoever receives thee, shall be excommunicate in all churches. The like may be read in the Apostolical Canons,[75] to which the ancient councils so often refer as the standing rule of discipline: If any clergyman or layman, who is cast out of the church, be received in another city without commendatory letters, both he that receives him, and he that is so received, shall be cast out of communion. Which answers an objection that might be raised in the case, viz. What if a bishop knew not by any formal intimation that such or such a person was excommunicate, and so through ignorance received him? To this it is here answered, that this did not excuse him, because he ought by the rule of catholic commerce to receive no stranger to communion, that did not bring commendatory letters, or testimonials, from his own bishop, that he was in the communion of the church. If any travelled without these, he was to be suspected as an excommunicated person, and accordingly treated as one under censure. But what if a person was unjustly excommunicated by his own bishop? Might not another bishop do him justice, by relaxing his unlawful bonds, and admit him to communion? I answer, no: for in this case the church provided another more proper remedy, that every man should have liberty to appeal from the sentence of his own bishop to a provincial synod, which was by the canons of Nice[76] and others appointed to be held twice a year for this very purpose, That if any one was aggrieved by the censure of his own bishop, he might have his cause heard over again in a provincial synod; from which there lay no further appeal to any single bishop, no, not even to the bishop of Rome, who most pretended to it; but all such causes were to be heard and determined in the province where they arose, to obviate fraud and surreptitious communion, and put an end to all strife and contention, as has been showed more fully in the foregoing chapter, sect. 14, out of the debate between the bishops of Rome and the African churches. These were the rules then generally observed throughout the whole catholic church, with respect to the rejection of excommunicate persons from the communion of all churches. And by these rules the unity of the catholic church was duly maintained, and discipline for the most part kept up in its true vigour and glory.

Sect. 11. And avoided also in civil commerce and outward conversation: and allowed no memorial after death.

But, fourthly, Synesius, in the forementioned form of excommunication, not only speaks of denying men communion in sacred things, but also in civil commerce and external conversation: no one was to receive excommunicated persons into their houses, nor eat at the same table with them; they were not to converse with them familiarly, whilst living; nor perform the funeral obsequies for them, when dead, after the solemn rites and manners that were used toward other Christians. These directions were drawn up upon the model of those rules of the apostles, which forbade Christians to give any countenance to notorious offenders, continuing impenitent, even in ordinary conversation. As that of St. Paul, 1 Cor. v. 11, "I have written unto you not to keep company, if any man that is called a brother be a fornicator, or covetous, or an idolater, or a railer, or a drunkard, or an extortioner; with such an one no not to eat." And again, Rom. xvi. 17, "Mark them which cause divisions and offences contrary to the doctrine which ye have learned, and avoid them." And 2 Thess. iii. 14, "If any man obey not our word by this epistle, note that man, and have no company

[69] Conc. Antioch. can. 4. [70] Ibid. can. 5. See also can. 1.

[71] Conc. Arausican. can. 11. Placuit in reatum venire episcopum, qui admonitus de excommunicatione cujusquam, sine reconciliatione ejus qui eum excommunicavit, ei communicare præsumpserit.

[72] Conc. Carth. 2. can. 7. Placuit ut qui merito facinorum suorum ab ecclesia pulsi sunt, si ab aliquo episcopo, vel presbytero, vel clerico fuerint in communionem suscepti, etiam ipse pari cum eis crimine teneatur obnoxius.

[73] Ibid. 4. can. 73. Qui communicaverit vel oraverit cum excommunicato, sive clericus, sive laicus, excommunicetur.

[74] Basil. can. 89.

[75] Canon. Apost. can. 13. Vid. Isidor. Pelus. lib. 3. Ep. 259.

[76] Vid. Conc. Nic. can. 5. Conc. Antioch. can. 6. Sardic. c. 17. Carthag. 2. can. 8 et 10. Conc. Milevit. can. 22. Carthag. 3. can. 8. Vasense, c. 5. Veneticum, c. 9. Aug. Ep. 136, &c.

with him, that he may be ashamed." And that of St. John, 2 Epist. 10, 11, "If there come any unto you, and bring not this doctrine, receive him not into your house, neither bid him God speed: for he that biddeth him God speed is partaker of his evil deeds." In conformity to these rules, and the reasons here assigned for the observation of them, the ancients made strict laws to forbid all familiar intercourse with excommunicated persons in ordinary conversation, unless some absolute necessity, or some greater and more obliging moral consideration, required them to do otherwise. The first council of Toledo has four or five canons to this purpose.[77] It will be sufficient to recite the first of them, which is in these words: "If any layman is excommunicated, let no clerk or religious person come near him or his house. In like manner, if a clergyman is excommunicated, let the clergy avoid him. And if any is found to converse or eat with him, let him also be excommunicated." The second council of Arles[78] orders a suspended bishop to be excluded, not only from the conversation and table of the clergy, but of all the people likewise. And many other such canons occur in the councils of Vannes,[79] and the first of Tours,[80] and the first of Orleans,[81] excluding excommunicate persons from all entertainments of the faithful. The Apostolical Canons[82] forbid any one to communicate in prayer, so much as in a private house, with excommunicate persons, under the same penalty of excommunication. And if they happened to die in professed rebellion and contempt of penance, then they were treated as all other contemners and despisers of holy ordinances were, by being denied the honour and benefit of Christian burial. No solemnity of psalmody or prayers was used at their funeral; nor were they ever to be mentioned among the faithful out of the diptychs, or holy books of the church, according to custom in the prayers at the altar. This is evident, not only from what is said by Synesius, but from the whole tenor of ecclesiastical discipline, which excludes all that die in professed rebellion and contempt from the privilege of Christian burial, such as catechumens dying in wilful neglect of baptism, and those that laid violent hands upon themselves, and such like, as all dying in impenitency and a desperate condition.[83] And it is further evident from that very exception, which we have observed before,[84] to be made in favour of such humble penitents, as modestly submitted to the discipline of the church, and were labouring earnestly to obtain a readmission, but were snatched away by sudden death, before they could obtain the formality of an absolution: in this case, as I showed, the canons[85] allowed their oblations to be received, and their funeral obsequies to be celebrated after the usual solemnity and manner of the church: which exception supposes that all the rest, who died refractory and impenitent, were wholly denied these privileges, as a just consequence of their censures. Not to mention now the custom of erasing the names of excommunicate persons out of the diptychs, or sacred registers of the church, which was the immediate effect of excommunication, and excluded them from all the privileges of any future memorial[86] or commemoration, till they were restored again. I will not stand now to dispute, whether this custom took its original from the practice of the Jewish synagogue; or whether our Saviour alluded to that practice, as some learned men think,[87] when he said to his disciples, Luke vi. 22, "Blessed are ye, when they shall separate," or excommunicate, "you out of the synagogue, and cast out," or expunge, "your names out of the holy books:" certain it is, that as this erasing or expunging the names of excommunicate persons out of the diptychs was used in the Christian church, it always implied the denial of communion to them even after death: they could neither have a Christian burial, nor a Christian commemoration among those that were departed in the true faith and unity of the church; but were excluded, both living and dying, from all society both sacred and civil, as the immediate effect and consequence either of a voluntary and chosen, or a judicial and penal excommunication.

For, to show that these were not mere empty and ineffective laws, we may often observe them in a remarkable manner put in practice. Irenæus[88] tells us, from those who had it from the mouth of Polycarp, that when he once occasionally accompanied St. John into a bath at Ephesus, and they there found Cerinthus the heretic, St. John immediately cried out to Polycarp, Let us fly hence, lest the bath should fall, in which Cerinthus the enemy of truth is. Eusebius and Theodoret[89] both mention the

[77] Conc. Tolet. 1. can. 15. Si quis laicus abstinetur, ad hunc vel ad domum ejus, clericorum vel religiosorum nullus accedat. Similiter et clericus, si abstinetur, a clericis devitetur. Si quis cum illo colloqui aut convivari fuerit deprehensus, etiam ipse abstineatur. Vid. can. 7, 16, et 18. ibid.

[78] Conc. Arelat. 2. can. 30. Suspensum episcopum non solum a clericorum, sed etiam a totius populi colloquio atque convivio placuit excludi.

[79] Conc. Veneticum, can. 3. A conviviis fidelium submovendos. Conc. Ilerden. can. 4.

[80] Conc. Turon. 1. can. 8. A convivio fidelium extraneus habeatur.

[81] Conc. Aurel. 1. can. 3, 5, 13. Conc. Carthag. 4. can. 70.

[82] Canon. Apost. can. 11.

[83] Vid. Conc. Bracar. 1. can. 34 et 35.

[84] Chap. 1. sect. 7. [85] Vid. Conc. Vasense, 2. can. 2.

[86] Vid. Evagrium, lib. 3. cap. 24.

[87] Dodwel, Dissert. 5. in Cyprian. n. 18.

[88] Iren. lib. 3. cap. 3.

[89] Euseb. lib. 4. cap. 14. Theod. de Fabul. Hæretic. lib. 2. cap. 3

same story out of Irenæus; and Epiphanius also[90] relates it at large, only with this difference, that it was Ebion the heretic to whom, by the guidance of the Spirit, he showed this aversion, for a memorial and example to future ages. Whence Baronius conjectures[91] both those heretics might be present, and that the saying had equal relation to them both. Irenæus, in the same place, adds this further concerning Polycarp, that happening once to meet Marcion the heretic, and Marcion asking him whether he did not know him, he replied, Yes, I know thee to be the first-born of Satan. So cautious, says Irenæus, were the apostles and their disciples, not to communicate so much as in word, *μὴ μεχρὶ λόγου κοινωνεῖν*, with the perverters of truth, according to that of St. Paul, "A man that is an heretic, after the first and second admonition reject, knowing that such an one is subverted, and sinneth, being condemned of himself." In like manner St. Ambrose observes of a certain Christian judge, in the time of Julian, that, having condemned one of his brethren for demolishing an altar, no one would vouchsafe[92] to associate with him, no one would speak to him or salute him. And St. Basil, writing to Athanasius concerning a certain governor of Libya, (whom Athanasius had excommunicated for his immoralities, and, according to custom, had given notice of it to Basil,)[93] tells him, they would all avoid him, and have no communion with him in fire, or water, or house, that is, in the common ways of ordinary conversation. A great many other instances of the like kind might be given, but I shall only add that of Monicha, St. Austin's mother, toward her son, whilst he continued a Manichee. St. Austin himself tells us,[94] That she so detested the blasphemies of his error, and had such an aversion to him upon the account of them, that she would not admit him to eat with her at the same table in her own house. This was according to the discipline then practised in the church, to deny sinners not only communion in sacred things, but also in the civil commerce of ordinary conversation.

Sect. 12. The grounds and reasons of this practice.

Now, all this was done for very wise ends and reasons of Christian prudence and charity. 1. To make sinners ashamed, and by that shame to bring them to repentance. This is the reason given by the apostle, "Note that man, and have no company with him, that he may be ashamed." 2. To terrify others by their example. Both these reasons are assigned by the canon of the council of Tours, which orders relapsing sinners to be excluded both from the communion of the church[95] and the entertainments of the faithful, that the shame and confusion arising from such treatment might bring them to compunction, and terrify others by their example. 3. A third reason was, the fear of partaking in other men's sins. If by their society they seemed to show any countenance to them, it would be a hardening them in their iniquity, and involve such as contributed thereto in the same guilt with the criminals themselves. Therefore, says St. Cyprian,[96] we ought to withdraw from sinners, and even fly from them, lest if a man join himself to those that walk disorderly, and go in the paths of error and wickedness, he himself also be held in the guilt of the same crimes. For this reason, writing to the people of Leon and Astorga in Spain, (where two bishops, Basilides and Martial, had been deposed for lapsing into idolatry, who afterwards made an attempt to draw in the people to accept them again for their bishops, after others had regularly by the discipline of the church been ordained in their room,) he tells them, they should not flatter themselves, as if they were free[97] from partaking in sin, if they communicated with a sinful bishop, and gave their consent to the unlawful and unjust establishment of him in his bishopric, since the Divine judgment had threatened and said by the prophet Hosea, "Their sacrifices shall be unto them as the bread of mourners; all that eat thereof shall be polluted:" teaching and showing us, that all men are bound over unto sin, who are defiled with the sacrifice of a profane and unjust priest. Which we find also to be declared in the book of Numbers, when Korah, Dathan, and Abiram assumed to themselves the power of offering sacrifice in opposition to Aaron the priest. There the Lord commanded the people by Moses to separate themselves from them, lest, if they were joined with those wicked men, they should be smitten in their wickedness. "Depart," says he, "from the tents of these hardened men, and touch nothing of theirs, lest ye be consumed in all their sins." 4. A fourth reason was, to avoid contagion and infection. For conversing with profane men is endangering a man's own virtue. Evil commu-

[90] Epiph. Hæres. 30. Ebionit. n. 24.

[91] Baron. an. 74. n. 9. Suicer. Thesaur. Eccles. voce *Αἱρετικός*, t. 1. p. 128.

[92] Ambros. Ep. 29. ad Theodos. Nemo illum congressu, nemo illum unquam osculo dignum putavit.

[93] Basil. Ep. 47.

[94] Aug. Confess. lib. 3. cap. 11. Nolle habere secum eandem mensam in domo, aversans et detestans blasphemias erroris mei. Vid. Ser. 215. de Tempore.

[95] Conc. Turon. 1. can. 8. A communione ecclesiæ, vel a convivio fidelium extraneus habeatur, quo facilius et ipse compunctionem per hanc confusionem accipiat, et alii ejus terreantur exemplo.

[96] Cypr. de Unit. Eccles. p. 119. Recedendum est a delinquentibus, vel imo fugiendum, ne dum quis male ambulantibus jungitur, et per itinera erroris et criminis graditur, pari crimine et ipse teneatur.

[97] Cypr. Ep. 68. al. 67. ad Plebem Legionis et Asturicæ, p. 171. Nec sibi plebs blandiatur, quasi immunis esse a contagio delicti possit, cum sacerdote peccatore communicans, et ad injustum atque illicitum præpositi sui episcopatum consensum suum commodans, &c.

nications corrupt good manners. An infected member often destroys the whole body. Therefore as vile and notorious sinners were for this reason cut off from the body of the church; so, for the same reason, all men were afterwards to avoid their society, for fear the poison of their infamous conversation should infect their morals, and diffuse itself into their minds by any artful conveyance of cunning craftiness, or the natural influence of bad example. "For wicked men speak with their feet, and teach with their fingers," as the wise man elegantly words it: their actions, as well as their discourses, are of a malignant influence, and are apt to leave ill tinctures and impressions upon the minds of others, so that a man cannot ordinarily converse with them without danger of infection. Therefore, says Cyprian, avoid such men, and drive[98] away their pernicious communications both from your conversation and your ears, as the contagion of death. For thus it is written, "Hedge about thy ears with thorns, and hearken not to an evil tongue." And again, "Evil communications corrupt good manners." Our Lord teaches and admonishes us to withdraw from such, saying, "They are blind leaders of the blind: and if the blind lead the blind, they shall both fall into the ditch." But, 5. Admitting some could converse with such without danger to themselves, they could not without manifest danger to others, who are weak, and apt to be imboldened to follow the example of the strong, to their apparent ruin and destruction. For these and the like reasons, whenever the church cast any notorious offenders wholly out of her communion, she prohibited all others from conversing with them, both in kindness to the sinners and to the righteous, lest the one should be hardened in their impenitency, and the other corrupted by the spreading contagion and infection.

Sect. 13. No donations or oblations allowed to be received from excommunicate persons.

It is further observable, that as an indication of the church's abhorrence of excommunicate persons, she allowed no gifts or oblations to be received from them; because that might have been interpreted retaining them still in some measure in her communion, and involving herself in the guilt of filthy lucre. Therefore she never admitted any one to make oblations but such as were in full communion with her, and might lawfully partake of the sacrifice of the altar, as I have had occasion to show more fully[99] in another place. Here I only note it again as a thing most remarkable, that she had such an aversion to any thing that appertained to them, that she would not so much as retain those gifts, which any such persons had freely offered whilst they were in communion with her. This we learn from Tertullian, who, speaking of the expulsion of Valentinus and Marcion for their heresies at Rome, says, They were cast out once and again,[100] and particularly Marcion, with his two hundred *sestertia*, which he had brought into the church.

Sect. 14. No one to marry with excommunicate heretics, or receive their *eulogiæ*, or read their books; but burn them.

There are several other instances of their aversion to heretics in particular, when once the censures of the church were passed upon them. The council of Laodicea not only forbids all men to frequent their cemeteries and[101] meetings held at the monuments of their pretended martyrs, or any where to pray with them; but also to receive any presents under the name of *eulogiæ* from them;[102] because this was in some sort to communicate with them; these *eulogiæ*, or sanctified loaves, being one way of testifying men's communion one with another. The same council also forbids all members of the church to enter into communion with heretics[103] by giving their sons or daughters in marriage to them; neither are they allowed to take the sons or daughters of heretics in marriage to themselves, unless they promise to become Christians.[104] Where we may observe also, that they did not allow heretics, after they had broken the faith and communion of the church, absolutely speaking, so much as the name of Christians. Other laws strictly prohibit men to read the books of heretics, as imagining that the poison of their errors was in a great measure dispersed and conveyed by them. Socrates[105] has recorded a letter of Constantine the Great, wherein he orders the Arians to be branded and stigmatized with the name of Porphyrians, and their books to be burnt, and makes it death for any one to conceal them and save them from the flames. And there are two laws now extant in the Theodosian Code, wherein the very same things are enjoined under very severe penalties. The first is a law made by Arcadius and Honorius against the Eunomians, a noted branch of the Arian heresy, wherein their books[106] are

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[98] Cypr. de Unit. Eccles. p. 115. Vitate, quæso vos, ejusmodi homines, et a latere atque auribus vestris perniciosa colloquia, velut contagium mortis arcete, &c.

[99] Book XV. chap. 9.

[100] Tertul. de Præscript. adv. Hæretic. cap. 30. Semel et iterum ejecti, Marcion quidem cum ducentis sestertiis suis, quæ ecclesiæ intulerat, &c.

[101] Vid. Conc. Laodic. can. 9, 33, et 34.

[102] Ibid. can. 32. *Οὐ δεῖ αἱρετικῶν εὐλογίας λαμϐάνειν, κ.τ.λ.*

[103] Ibid. can. 10. *Μὴ δεῖν τοὺς τῆς ἐκκλησίας ἀδιαφόρως πρὸς γάμȣ κοινωνίαν συνάπτειν τὰ ἑαυτῶν παιδία αἱρετικοῖς.*

[104] Ibid. can. 31. Vid. Conc. Eliberit. can. 16.

[105] Socrat. lib. 1. cap. 9.

[106] Cod. Theod. lib. 16. Tit. 5. de Hæretic. Leg. 34. Codices sane eorum, scelerum omnium doctrinam ac materiam continentes, summa sagacitate mox quæri, ac prodi exerta auctoritate mandamus, sub aspectibus eorum judicantum incendio mox cremandos. Ex quibus si quis forte aliquid qualibet occasione vel fraude occultasse, nec prodidisse convincitur, sciat se, velut noxiorum codicum, et maleficii crimine conscriptorum, retentorem, capite esse plectendum.

ordered to be sought after with a very diligent search, and to be burnt in the sight of the judges. And if any one was convicted of fraudulent hiding, and not discovering them, he should be punished with death, as a retainer and concealer of pernicious and magical books, containing the institutions of all manner of wickedness. The other law was made by Theodosius junior against the Nestorians, where he refers to the former law of Constantine, and orders the followers of Nestorius to be called Simonians, for their imitating the portentous superstitions of Simon Magus, as Constantine had appointed the Arians to be called Porphyrians, from Porphyry the heathen. Then he orders their books, written against the catholic faith and the council of Ephesus, to be publicly burnt,[107] forbidding any one to have, read, or transcribe them, under pain of confiscation. This custom of burning heretical books is confirmed by many other laws, of which more hereafter, when we come to speak of the punishment of heretics in particular. Here I observe, that the prohibition of reading or retaining them was so limited by the church, as to allow bishops to read them, when time and necessity[108] so required, in order to confute them. For the fourth council of Carthage, which forbids them universally the reading of heathen authors, allows the reading of heretical books, with this limitation and restriction. And therefore the retaining them in this case, was not to be interpreted that fraudulent retaining and concealment, which the imperial laws condemned under the penalties of confiscation and death. Gothofred observes one thing further upon the usefulness and effect of these laws, which is fit to be remarked,[109] That the terror of them made heretics very cautious how they dispersed their books, and others as cautious how they retained or concealed them: insomuch, that when St. Basil was about to confute the first book of Eunomius, he had a hard matter to compass it, as Photius[110] reports, the Eunomians were so industrious in concealing it. And when Eunomius had written his latter books in answer to Basil, he durst not publish them, but only among his confederates, in St. Basil's life-time, for fear of Basil; and after his death,[111] durst only trust them in the hands of his friends, for fear of the penalties which the laws had laid upon them, though Philostorgius,[112] the Arian historian, makes bold, after his manner, to give a different relation of it.

Sect. 15. What meant by delivering unto Satan.

There are two or three things more, relating to the manner, and form, and effects of excommunication, which have something of difficulty in them, and therefore it will be proper to give them a little explication here. The first difficulty arises from the apostle's order given to the Corinthians, how to proceed against the incestuous person, who had married his father's wife, 1 Cor. v. 5, where he enjoins them, in the name and with the power of the Lord Jesus Christ, to "deliver such an one unto Satan, for the destruction of the flesh, that the spirit may be saved in the day of the Lord Jesus." So again, 1 Tim. i. 20, speaking of Hymenæus and Philetus, he says, "Whom I have delivered unto Satan, that they may learn not to blaspheme." There are two famous expositions of these passages. Bishop Beveridge[113] and Estius,[114] after Balsamon and Zonaras,[115] with many other modern interpreters, whom Estius mentions, think that delivering unto Satan, is but another expression for excommunication, and the spiritual effects consequent to it, that is, the punishment of the soul, and not of the body. For when men are cast out of the society of the faithful, which is the church of Christ, they are thereby deprived of all the benefits that are proper and peculiar to that society; as the common prayers of the church, the public use of the word or doctrine, the participation of the sacrament, the pastoral care of those that preside over them, and the special grace of Divine protection; and so remain exposed to the tyranny and incursions of Satan, whose kingdom is without the church. And thus far they allow, that every excommunicated person was delivered unto Satan, but not for any corporal vexation or punishment to be inflicted on him. Others are of opinion, that besides this spiritual punishment naturally consequent to excommunication, there was in the apostles' days another consequent of it, which was corporal power and possession, or the infliction of bodily vexations and torments by the ministry of Satan on those who were delivered unto him. Dr. Hammond, and Grotius, and Lightfoot, are the great supporters of this opinion among the moderns, and they have almost the general concurrence of the ancient interpreters on their side; which Estius does not much deny, though he chose to follow Peter Lombard and Aquinas, and the ordinary gloss against them. He owns St. Chrysostom and the Greeks were wholly of this opinion; and among the Latins, St. Ambrose and Pacian; and St. Austin also, though not very positive, he thinks, in his assertion. But he is mistaken; for St. Austin was clearly of this opinion. He does not say, indeed, it was death, which the apostle inflicted upon the

[107] Cod. Theod. lib. 16. Tit. 5. Leg. 66. et in Actis Conc. Ephes. par. 3. cap. 46.

[108] Conc. Carthag. 4. can. 16. Ut episcopus Gentilium libros non legat; hæreticorum autem pro necessitate et tempore. See Book VI. chap. 3. sect. 4, where this question is more fully handled.

[109] Gothofred. in Cod. Theod. lib. 16. Tit. 5. Leg. 34.

[110] Phot. Cod. 137.

[111] Id. Cod. 138.

[112] Philostorg. lib. 8. cap. 12.

[113] Bevereg. Not. in Can. Apost. 10.

[114] Estius in 1 Cor. v. 5.

[115] Balsam. et Zonar. in Basil. can. 7.

Corinthian, as St. Peter did upon Ananias and Sapphira; but he says expressly, it was some punishment[116] inflicted on him by the ministry of Satan. Which he distinguishes from a common excommunication, by the name of *flagellum Domini*, the scourge of the Lord; which, he says, the apostle used upon some special occasions, when there was no way to cure an epidemical disease, or correct a single sinner, buoyed up and favoured by the multitude,[117] but only by interceding with God to take the matter into his own hand, and use the severe mercy of his own Divine discipline upon them, when the contagion of sin had invaded a multitude; in which case, it were not only in vain to advise men to separate from sinners, but pernicious and sacrilegious; because such counsels in such a state of affairs would be thought impious and proud, and more tend to disturb good men that were weak, than correct the stubbornness and animosity of the evil. In this sense, he there also in like manner interprets two other passages of the apostle: 2 Cor. xii. 21, "Lest, when I come again, my God will humble me among you, and I shall bewail many which have sinned already, and have not repented of the uncleanness and lasciviousness and fornication which they have committed." And 2 Cor. xiii. 1, 2, "This is the third time I am coming to you. In the mouth of two or three witnesses shall every word be established. I foretold you before, and foretell you, as if I were present, the second time; and being absent I now write to them which heretofore have sinned, and to all other, that, if I come again, I will not spare; since ye seek a proof of Christ speaking in me." Here, he says, the apostle does not threaten them with that punishment which should make others abstain from their society, but by his prayers and tears to turn them over[118] to the Divine scourge to correct them; and that this was the power of Christ speaking in him. Where nothing can be plainer, than that St. Austin distinguishes this as an extraordinary power from the ordinary power of excommunication, which the apostle had in reserve for such difficult cases, where the ordinary power of excommunication, by reason of the multitude or confederacy of sinners, would not by its own bare virtue prove effectual. So that, according to him, this power of delivering unto Satan, was something superior to that ordinary power of casting men out of the church and the society of the faithful. St. Ambrose was of the same mind with St. Austin; for, explaining how the incestuous man was punished, he says, As the Lord gave the devil no power over the soul of holy Job, but only permitted him to afflict his body; so this man[119] was delivered to Satan. And St. Jerom says,[120] The apostle commanded him to be put under penance, for the destruction and vexation of the flesh by fasting and sickness, that his spirit might be saved. And so Pacianus,[121] by the destruction of the flesh, understands tribulation and infirmities of the body. The author of the Short Notes[122] under the name of St. Jerom, says the same. So likewise Cassian,[123] to whom Estius himself adds Primasius and Haimo. St. Chrysostom, among the Greeks, gives the same sense of the apostle's words. He says, The apostle delivered the Corinthian offender to Satan, as to a schoolmaster, for the destruction of the flesh. As it happened to holy Job, but not for the same cause: for there it was done to make his crown of glory more illustrious; but here the man only gains remission of his sins: that Satan might torture him with some cruel ulcer, or other disease. And he observes how the apostle says elsewhere, that such diseases were sometimes inflicted on sinners immediately by the hand of God; "When we suffer such things, we are judged of the Lord:" but here he delivers him to Satan, the more sensibly to touch and affect him.[124] He gives the same exposition of the apostle's words concerning Hymenæus and Philetus, "Whom I have delivered unto Satan, that they may learn not to blaspheme." As executioners, says he, though they be very wicked themselves, are made instruments[125] of chastising others; so here it is with the wicked devils. Job was thus delivered to Satan, not for his sins, but to obtain the greater glory. He adds, That God often did this immediately by his own power, without the intervention of any human ministry. For many times

[116] Aug. de Sermone Dom. in Monte, lib. 1. cap. 20. Etsi nolunt hic mortem intelligere, quod fortasse incertum est, quamlibet vindictam per Satanam factam ab apostolo fateantur.

[117] Aug. Epist. Parmen. lib. 3. cap. 2. Quid aliud dicit hic, Non parcam: nisi quod superius ait, Et lugeam multos: ut luctus ejus impetraret flagellum a Domino, quo illi corriperentur, qui jam propter multitudinem non poterant ita corripi, ut ab eorum conjunctione se cæteri continerent, et eos erubescere facerent?—Et revera si contagio peccandi multitudinem invaserit, Divinæ disciplinæ severa misericordia necessaria est: nam consilia separationis et inania sunt et perniciosa atque sacrilega; quia et impia et superba fiunt, et plus perturbant infirmos bonos, quam corrigant animosos malos.

[118] Ibid. Per luctum suum potius eos Divino flagello coercendos minans, quam per illam correptionem, ut cæteri ab eorum conjunctione se contineant.

[119] Ambros. de Pœnit. lib. 1. cap. 12. Sicut Dominus in animam sancti Job potestatem non dedit, sed in carnem ejus permisit licentiam, ita et hic traditur Satanæ.

[120] Hieron. Com. in Gal. v. Præcepit eum tradi pœnitentiæ, in interitum et vexationem carnis, per jejunia et ægrotationes, ut spiritus salvus fiat.

[121] Pacian. Ep. 3. ad Sempronian. Bibl. Patr. t. 3. p. 66. Ad solius carnis interitum, tentationes scilicet, carnis angustias, detrimenta membrorum.

[122] Hieron. Com. in 1 Cor. v. 5.

[123] Cassian. Collat. 7. cap. 25—28.

[124] Chrys. Hom. 15. in 1 Cor. p. 451.

[125] Hom. 5. in 1 Tim. p. 1547.

the priests know not who are sinners, or who are unworthy partakers of the holy mysteries: therefore God takes the judgment into his own hands, and delivers them unto Satan. For when diseases, or misfortunes, or sorrows, or calamities, or any thing of the like kind befalls men, it is for this reason, as Paul also intimates, saying, "For this cause many are sick and weak among you, and many sleep." Theodoret follows Chrysostom in his exposition: for speaking of Hymenæus and Alexander, he says, The apostle delivered them to Satan, as to a cruel executioner;[126] for being separated from the body of the church, and left destitute of Divine grace, they were cruelly tormented by the adversary, falling into diseases, and sufferings, and other evils and calamities, which the devil is wont to inflict upon men. Now, this being the general sense of the ancients, both Greek and Latin, that this was an extraordinary apostolical power, distinct from the ordinary power of excommunication; we do not find that they ordinarily made use of this phrase, "delivering unto Satan," in any of their forms of excommunication; as being sensible, that the church, after the power of miracles was ceased, had no pretence to the power of inflicting bodily diseases, as the apostles had, upon excommunicate persons by the ministry of Satan. Cassian[127] indeed tells us, That he knew several holy men, that were corporally delivered to Satan, and to great infirmities, for small offences. But that was by the immediate hand of God, and his chastisements, and not by the censures of the church, which did not excommunicate holy men, nor any others, for small offences. The author of the Life of St. Ambrose[128] says also, That he, having to deal with a very flagitious sinner, said, He ought to be delivered to Satan for the destruction of the flesh, that no one may dare to commit such things for the future. And he had no sooner spoken the word, but immediately, the very same moment, an unclean spirit seized the man, and began to tear him. But this, if true, was a singular instance of apostolical and miraculous power yet remaining in St. Ambrose, and there is scarce a parallel instance to be met with in all the history of the church. The canons of old very rarely used this phrase. St. Basil mentions it[129] once, and Gratian cites an epistle of Pope Pelagius,[130] where it is said, By the example of apostolical authority, we have learned to deliver unto Satan erring spirits, which draw others into error, that they may learn not to blaspheme. But in these places it seems to mean no more than excommunication or expulsion out of the church, which is the spiritual delivering up to Satan, without any regard to bodily torture. For all men are sensible, that since the apostles' days there was no such power generally granted to the ministers of the church. And for this reason, Peter du Moulin[131] tells us, the reformed church of France, in their national synod of Alez, at which he himself assisted as moderator, anno 1620, made an order, That in excommunication, no one should use the form of "delivering unto Satan." Neither should the censure of *anathema maranatha* be pronounced against any man; forasmuch as no one ought to use that form, but he that knows the secrets of reprobation, and can tell by the revelation of God's Spirit, whether the person excommunicated has sinned against the Holy Ghost, or the sin unto death, that is, with such impenitency as will be final, and continue unto death; for which, St. John says, no one ought to pray. The prohibition here of the use of the form *anathema maranatha*, leads us to another inquiry, what the ancients understood by it; and whether they used it at any time as a form of excommunication?

Sect. 16. What by *anathema maranatha*, and whether any such forms of excommunication were in use in the ancient church.

Anathema is a word that occurs frequently in the ancient canons, and the condemnation of all heretics. The council of Gangra closes every one of its canons with the words, ἀνάθεμα ἔστω, "let him be *anathema*," or accursed, that is, separated from the communion of the church and its privileges, and from the favour of God, without repentance, that goes against the tenor of the thing there decreed. And this is the style of most other councils, grounded upon that form of St. Paul, "If we, or an angel from heaven, preach any other gospel unto you, than that which we have preached unto you, let him be *anathema*," or accursed. But the adding of *maranatha* to *anathema* is not so common. There is little said of the word itself among the ancients, and[132] less of its use in any form of excommunication. St. Chrysostom[133] says it is a Hebrew word, signifying, The Lord is come: and he particularly applies it to the confusion of those who still abused the privileges of the gospel, notwithstanding that the Lord was come among them. This word, says he, speaks terror to

[126] Theod. in 1 Tim. i. 20.

[127] Cassian. Collat. 7. cap. 25. Corporaliter traditos Satanæ, vel infirmitatibus magnis, etiam viros sanctos novimus, pro levissimis quibusque delictis, &c.

[128] Paulin. Vit. Ambros. Cum deprehendisset auctorem tanti flagitii, ait, Oportet illum tradi Satanæ in interitum carnis, ne talia aliquis in posterum audeat admittere. Quem eodem momento, cum adhuc sermo esset in ore sacerdotis sancti, spiritus immundus arreptum discerpere cœpit.

[129] Basil. can. 7.

[130] Pelag. ap. Grat. Caus. 24. Quæst. 3. cap. 13. Apostolicæ auctoritatis exemplo, errantium, et in errorem mittentium spiritus tradendos esse Satanæ, ut blasphemare dediscant.

[131] Molinæi Vates, seu de bonis malisque Prophetis, lib. 2. cap. 11. p. 114.

[132] Gratian. Caus. 23. Quæst. 4. cap. 30, mentions it as used in a form of excommunication by Pope Sylverius.

[133] Chrys. Hom. 44. in 1 Cor. p. 718.

those, who make their members the members of a harlot, who offend their brethren by eating things offered to idols, who name themselves by the names of men who deny the resurrection. The Lord of all is come down among us; and yet ye continue the same men ye were before, and persevere in your sins. St. Jerom says,[134] it was more a Syriac than a Hebrew word, though it had something in it of both languages, signifying, Our Lord is come. But he applies it against the perverseness of the Jews, and others who denied the coming of Christ: making this the sense of the apostle, "If any man love not the Lord Jesus Christ, let him be anathema," The Lord is come; wherefore it is superfluous for any to contend with pertinacious hatred against him, of the truth of whose coming there is such apparent demonstration. The same sense is given by Hilary the deacon, and Pelagius, who wrote under the names of St. Ambrose[135] and St. Jerom.[136] And it is received by Estius and Dr. Lightfoot as the truest interpretation. So that, according to this sense, *maranatha* could not be any part of the form of excommunication, but only a reason for pronouncing *anathema* against those who expressed their hatred against Christ, by denying his coming; either in words, as the Jews did, who blasphemed Christ, and called Jesus *anathema*, or accursed; or else by wicked works, as those who lived profanely under the name of Christian.

Yet others of the ancients interpret it of the future coming of Christ; as St. Austin, who says *maranatha* is a Syriac word, signifying The Lord will[137] come. And he particularly applies it against the Arians, who could not be said to love the Lord, because they denied his Divine nature. Dr. Hammond and many other modern interpreters[138] take *maranatha* in this sense, The Lord will come to judgment, as St. Jude says, "The Lord cometh with ten thousands of his saints, to execute judgment upon all the ungodly." And they suppose this answered to the third and highest degree of excommunication among the Jews, called *shammatha.* For they say, the Jews had these three degrees of excommunication, *niddui*, *cherem*, and *shammatha*. *Niddui* was the lowest degree of excommunication, being only a suspension of the sinner from the synagogue and society of his brethren for thirty days, if he repented; if not, the time was doubled to sixty days; and if he still continued obstinate, it was prolonged to ninety days. Then, if he persisted impenitent still, he was punished with a more solemn excommunication, called *cherem,* which answers to anathema, or cursing, because the sinner was cast out, with solemn execrations out of the law of Moses. The third species, called *shammatha*, was the most severe, when a sinner, after all human means had in vain been tried upon him, was consigned over totally and finally to the Divine judgment, as a desperate and irrecoverable sinner. The word *shammatha* is, upon this account, said to signify either, There is death; or, There shall be desolation; or, The Lord cometh. Which last origination of the word answers to *maranatha.* Now, from this analogy and similitude of the name, these learned men suppose this form of excommunication was taken into the Christian church under the name of *maranatha.* But there is this grand objection against the thing, that Chrysostom, and St. Jerom, and the rest that have been mentioned, did not so understand it. Besides, that there is no such word as *maranatha* ever occurs in any ancient form of excommunication. But still the question may be put further, whether they had any such excommunication (be the name or form what it would) as was total, final, and irrevocable, so as utterly to exclude sinners from the communion of the church without hopes of recovery; and so as to make the church wholly cease to pray for them, or rather pray that God would take them out of the world, and thereby deliver his church from the malice of their attempts and power of their seduction? This question consists of several parts, and therefore, as it is proposed, so it must be answered with some distinction. For, first, There is nothing more certain, than that the church did sometimes pronounce a total, final, and irreversible sentence of excommunication against some more heinous criminals, keeping them under penance all their lives, and denying them her external peace and communion at the hour of death, for example and terror; yet not precluding them the mercy of God, nor denying them the benefit of her prayers, but encouraging them to hope for favour upon their true repentance at God's final and unerring judgment. In this sense, I say, it is most certain the church did many times make her sentence of excommunication irreversible, as will be showed[139] more fully hereafter.

[134] Hieron. Ep. 137. ad Marcellam. Maranatha magis Syrum est quam Hebræum: tamen etsi ex confinio utrarumque linguarum aliquid et Hebræum sonat, et interpretatur, Dominus noster venit: ut sit sensus, si quis non amat Dominum Jesum, anathema sit: et illo completo, deinceps inferatur, Dominus noster venit: quod superfluum sit adversus eum odiis pertinacibus velle contendere, quem venisse jam constet.

[135] Ambros. in 1 Cor. xvi.

[136] Hieron. in 1 Cor. xvi. interpretatur, Dominus noster venit.

[137] Aug. Ep. 178. sive Altercatio cum Pascentio. Anathema Græco sermone dixit, Condemnatus: Maranatha definivit, Donec Dominus redeat. — Non ergo recte dicitur Dominum amare, qui Domini et Dei unius audet substantiam separare, &c.

[138] Vid. Pool, Synopsis Criticor. in 1 Cor. xvi. 22. et Otho, Lexicon Rabbinic. p. 180.

[139] Book XVII.

Sect. 17. Whether excommunication was ever pronounced with execration, or devoting the sinner to temporal destruction.

But, secondly, It is not so apparent, that the church was used to join execration to her censures, and devote men to temporal destruction, by utterly refusing to pray for them, or rather praying against them, that God would take them out of the world, and deliver his church by that means from their malicious power, and machinations of seducement. Grotius[140] thinks this was very rarely done, but yet that there are some examples of it. For when Julian added to his apostacy devilish designs of rooting out the Christian religion, the church used this weapon of extreme necessity, and God heard her prayers. He reckons this was done in imitation of the Jewish *shammatha*. For among the Jews, he says a little before, if any fell into enormous crimes, and drew many after them, they did not use the common anathema against them, but that more dreadful and tremendous one, which they called *shammatha*, and the apostle after them, in the same sense, *maranatha*. For *maranatha* signifies, The Lord cometh. And by that word[141] prayer is made unto God, that he would speedily take away the malefactor and seducer out of the world. An example of which sort of anathema, he thinks, is given by the apostle, Gal. v. 12, when he says, "I would that they were even cut off that trouble you." The learned Dr. Hicks in this matter joins entirely with Grotius, seeing no other way to account for the many prayers made by the ancient Christians for Julian's destruction. Some indeed fasted and prayed for his repentance and conversion, as supposing he might be recovered from his error. Thus he tells us[142] out of Sozomen, how Didymus of Alexandria prayed for him. But others absolutely prayed for his destruction, as thinking him utterly incapable of repentance, and that he had sinned the sin unto death, for which it was in vain to pray. Then he goes on to show the nature of his apostacy, his devotedness to the devil, and his spite to Christ and the Christians; from whence he concludes[143] it was reasonable for the Christians to look upon him as irrecoverable out of the snare of the devil, and upon that supposition to pray for his destruction. He adds several other arguments to show the reasonableness of their presumption, that Julian had a diabolical malice[144] against Christ, and that he was one of those irrecoverable apostates who had trodden under foot the Son of God, and counted the blood of the covenant, wherewith he was sanctified, an unholy thing, and who had done despite to the Spirit of grace. He had hardened his heart against Divine miracles, like Pharaoh, and therefore it is no wonder if some of them[145] called for the plagues of Egypt upon him. He reproached the living God, like Sennacherib, and that made some of them, like Hezekiah, to beseech God[146] to bow down his ear and hear, and to open his eyes and see, how Julian reproached the Son of God; and thereupon to say, "O Lord our God, we beseech thee to save us out of his hand, that all the kingdoms of the earth may know that thou art the Lord God, and that Jesus, whom Julian doth so reproach, is thy Son and Christ." Gregory[147] says, he designed worse things against the Christians, than Diocletian, Maximian, or Maximinus, ever did; that he was Jeroboam, Pharaoh, Ahab, and Nebuchadnezzar, all in one; Jeroboam in apostacy, Pharaoh in hardness of heart, Ahab in cruelty, and Nebuchadnezzar in sacrilege: and therefore it is not to be wondered, that the Christians, who had such good reason to despair of the conversion of such a complicate tyrant, prayed for his destruction, because there was no other apparent way of delivering the church. And if it should please God for our sins to plague the church with such a spiteful enemy of Christ, and suffer a popish Julian indeed to reign over us; I here declare, says he, that I should believe him incapable of repentance, and upon that supposition should be tempted to pray for his destruction, as the only means of delivering the church. Thus far that learned man, in his account of the practice of the primitive Christians, and their reasons, in praying for the destruction of Julian the apostate.

To this may be added, what St. Jerom says[148] upon the death of Julian, That the church of Christ with exultation sung her thanks to God in the words of the prophet, according to the Septuagint, "Thou hast even to our astonishment divided the heads of the powerful." Which is also noted by Theodoret, who says, The people of Antioch, as soon as they heard of Julian's death, kept public feasts and holidays for joy, and not only in their churches, but in their theatres, proclaimed the victory of the cross, exposing the heathen prophecies to ridicule,[149] particularly those of one Maximus, a magician whom he had consulted: O foolish Maximus, where are now thy prophecies? God and his Christ have overcome. So, again, he tells us[150] of one Julianus

[140] Grot. in Luc. vi. 22. Hujus sane rarior est usus, non tamen nullus. Nam in Julianum, cum defectioni adderet machinationes evertendi Christianismi, usa est ecclesia isto extremæ necessitatis telo, et a Deo est exaudita.

[141] Ibid. Ea voce oratur Deus, ut quamprimum talem maleficum et seductorem tollat ex hominum numero. Hujus anathematis exemplum est, Gal. v. 12.

[142] Hicks's Answer to Julian, chap. 6. p. 140. ex Sozom. lib. 6. cap. 2.

[143] Ibid. p. 143. [144] Ibid. p. 151.

[145] Naz. Invectiv. 2. p. 110. [146] Ibid. p. 123.

[147] Ibid. 1. p. 93, 110, et 111.

[148] Hieron. in Habac. iii. 14. Ecclesia Christi cum exultatione cantavit, Divisisti in stupore capita potentium.

[149] Theod. lib. 3. cap. 27.

[150] Ibid. cap. 24.

Saba, who had it revealed to him in his prayers, that Julian was slain; upon which he immediately changed his tears into joy, and put on a cheerful countenance, expressing the inward satisfaction of his mind. Which the by-standers observing, desired to know the reason of his sudden change; and he told them, That the wild boar, who laid waste the vineyard of the Lord, had now suffered punishment for all the injuries he had done against the Lord; that he now lay dead, and they needed no longer to be afraid of his designs against them. Upon which they all leaped for joy, and sung praises to God for the victory. Now, it is probable that they who thought it their duty thus to give God thanks for his fall, were no less solicitous beforehand to pray for his destruction. Their thanksgivings were a declaration what sort of prayers they had made, and they could not but rejoice when they were heard and answered. It is some confirmation of all this, that Socrates says, They were used sometimes to cast men out of the church with execration, as he notes of one Hermogenes, a Novatian bishop,[151] who, for some blasphemous books which he had written, was solemnly excommunicated, *μετὰ κατάρας*, with cursing, which in all probability denoted something more than the common anathema that accompanied every excommunication.

It is also noted by Socrates, lib. 1. cap. 37, that Alexander, bishop of Constantinople, prayed thus against Arius: "If the doctrine of Arius be true, let me die before the day appointed for our disputation: but if the faith which I hold be true, and the doctrine of Arius false, let Arius by the time determined suffer the punishment which his impiety deserves." Which was accordingly fulfilled; for Arius the next day voided his entrails with his excrements, and so perished by a most ignominious death. The same is related by Athanasius, in his epistle to Serapion, tom. 1. p. 671, who says he prayed to God in these words, *Ἆρον Ἄρειον*, Take Arius out of the world. All which shows, that in some special cases they made no scruple to devote very malicious and incorrigible apostates to extermination and destruction.

Yet, on the other hand, St. Chrysostom was utterly against this practice. For he has a whole homily upon this point, that men ought not to anathematize either the living or the dead; they may anathematize their opinions or actions, but not their persons. Where, as Grotius[152] rightly observes, he takes anathema in the strictest sense, for praying to God for the destruction of the sinner. Against this he argues from these several topics. 1. Because Christ died for all men, for his enemies, for tyrants, for magicians, for those that hated and crucified him.[153] 2. Because the church, in imitation of Christ, daily prays for all men. 3. Because the Christian religion rather obliges us to lay down our own lives for our neighbours, than take away theirs. 4. It is usurping upon the prerogative of Christ. For what is such an anathema, but saying, Let him be given to the devil, let him have no place of salvation, let him be separated from Christ? Who gave thee this authority and power? Why dost thou assume the dignity of the Son of God, who shall sit in "judgment, and set the sheep on his right hand, and the goats on his left?" 5. The apostles had no such practice in excommunication. They cast heretics out of the church in such manner, as one would pluck out a right eye, or cut off a limb, with indications of compassion and sorrow. They carefully rebuked and expelled their heresies, but did not thus anathematize their persons. 6. It is an absurd practice, whether it be used toward the living or the dead. If toward the living, thou art cruel in so cutting off one, who is still in a capacity of turning and changing his life from evil to good: if toward the dead, thou art more cruel; because now to his own Master he stands or falls, and is not under any human power. From all this he concludes, That we ought only to anathematize the impious and heretical opinions of men, but to spare their persons, and pray for their salvation. There are some who make a question, Whether this be one of St. Chrysostom's genuine discourses; but without any good reason; because the matter and style, as Du Pin observes, argue it to be his, and there are other arguments to prove it genuine. Sixtus Senensis[154] and Habertus[155] think, he speaks only against private men's using the anathema against heretics: but it is plain, he argues against the public as well as private use of it, in the sense wherein he takes it, that doctrines, and not men, are to be anathematized: We are to pray for the persons of heretics, when we condemn their opinions; and desire their conversion and salvation, not their destruction. The only thing that can truly be inferred from hence is, that St. Chrysostom had different sentiments about this matter from some others. They thought there were some cases, in which it was lawful to pray for the destruction of very malicious and incorrigible sinners, such as Julian, when they were past all hopes, and there was no other visible way to save the church from their hellish designs but by their destruction: he thought there was no such case; but that every man was capable of pardon so long as he lived in this world, even though he had committed what others called the unpardonable sin against the Holy Ghost, and the sin unto death, of which he had a

[151] Socrat. lib. 7. cap. 12.
[152] Grot. in Luc. vi. 32.
[153] Chrys. Hom. 76. de Anathemate, t. 1. p. 909.
[154] Sixt. Senens. Bibliothec. lib. 6. Annotat. 267.
[155] Habert. Archierat. p. 748.

different notion from what some others had; and therefore that we were to pray for every man's conversion, and not his destruction. This, as far as I can judge, was the different sense which the ancients had upon this most difficult matter: and if they varied upon the point in so nice a case, it is not much to be wondered at, since the moderns are not agreed upon it, but some churches, as I showed before out of Du Moulin, forbid all such sort of excommunications, as unfit to be used without a particular revelation. I have stated the matter fairly on both sides, and leave the determination to the liberty and discretion of every judicious reader.

CHAPTER III.

OF THE OBJECTS OF ECCLESIASTICAL CENSURES, OR THE PERSONS ON WHOM THEY MIGHT BE INFLICTED: WITH A GENERAL ACCOUNT OF THE CRIMES FOR WHICH THEY WERE INFLICTED.

Sect. 1. All members of the church, falling into great and scandalous crimes, made liable to ecclesiastical censures without exception.

Having thus far explained the nature of ecclesiastical censures, and the several kinds of them, we are next to consider the objects or persons on whom they might be inflicted, and the crimes for which they were inflicted on them. As to the persons or objects of ecclesiastical censure, they were all such delinquents as fell into great and scandalous crimes after baptism, whether men or women, priests or people, rich or poor, princes or subjects: for the ecclesiastical discipline made no distinction, save when the multitude of sinners, combining together, made it impossible to put church censures in execution, or made it hazardous, for fear of doing more harm than good by the strict execution of them. Infidels and unbelievers were not considered in this matter, as being no members of the church: according to that rule of the apostle, 1 Cor. v. 12, "What have I to do to judge them also that are without? Do not ye judge them that are within? But them that are without, God judgeth. Therefore put away from among yourselves that wicked person." Catechumens were in a middle state between heathens and Christians, only candidates of baptism, and not yet admitted to full communion by the laver of regeneration and adoption of children: and therefore neither were they the proper objects of church discipline, save only as they were capable of being thrust down into a lower class of their own order, if they committed any crime deserving such a degradation, of which I have given some account already[1] in speaking of the institution of the catechumens. Here we take discipline, as respecting only those that were called the τέλειοι, perfect communicants, or persons in full communion with the church.

Sect. 2. Women as well as men.

In censuring these the church made no distinction of sex or quality; for women were subjected to discipline, as well as men. Valesius[2] says they were very rarely put to do public penance; and Bona says,[3] never at all for the three first ages; but they wept, and fasted, and did other works of repentance in private. And some take that canon[4] of St. Basil in this sense, where he says, If a woman was convicted of adultery, or confessed it herself, by the ancient rules she was not to be made a public example, δημοσιεύειν οὐκ ἐκέλευσαν οἱ πατέρες. But Cyprian, and Tertullian, and the ancient canons make no such distinction: neither is it probable, that when multitudes both of men and women fell openly into idolatry in times of persecution, that the one did public and the other private penance only. For Cyprian never speaks of any but the public *exomologesis*, or confession, and public imposition of hands[5] to reconcile penitents again after lapsing; and yet there it had been proper to have made the distinction between men and women, if he had known of any such distinction in the practice of the church. But whether their penance was public or private, the case is still the same as to the exercise of discipline upon them; for they were certainly excluded from communion, and that sometimes for many years, and in some cases even to the hour of death, as appears from many canons of the council of Eliberis,[6] Ancyra,[7] and others. And this is a sufficient indication of their being liable to ecclesiastical censure, as well as men. Nay, there are some undeniable instances of women doing public penance, as Bona owns, in the time of St. Jerom; for he, speaking of Fabiola, a rich Roman lady, who had divorced herself from her first husband for adultery, and married a second, says, That after the death of the second husband, when she came to consider the unlawfulness of the fact, she put on sackcloth, and made public confession[8] of her error in the Lateran church, in the sight of all the people of Rome; standing in the order of penitents in Lent, and in a penitent garb, with her hair dissolved, and her cheeks wan with

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[1] Book X. chap. 2. sect. 17.
[2] Vales. in Socrat. lib. 5. cap. 19.
[3] Bona, Rer. Liturg. lib. 1. cap. 17. n. 5.
[4] Basil. can. 34.
[5] Cypr. de Lapsis, p. 128. Ep. 10. al. 16. p. 37.
[6] Conc. Elib. can. 5, 8, 10, 12, 13, 14, 63, 65.
[7] Conc. Ancyran. can. 21.
[8] Hieron. Ep. 30. Epitaph. Fabiolæ. Quis crederet, ut post mortem secundi viri in semetipsam reversa—saccum indueret, ut errorem publice fateretur, et tota urbe spectante Romana ante diem Paschæ in basilica Laterani staret in ordine pœnitentium, episcopo, presbyteris, et omni populo collachrymantibus, sparso crine, ora lurida, squalidas manus, sordida colla submitteret?

tears, submitting her neck to imposition of hands; the bishop, and presbyters, and all the people weeping with her. This seems to have been a voluntary act of penance, (as there were many such in those days, when men chose to expiate even private crimes by public penance,) but if it had not been customary at all for women to do public penance, St. Jerom would have noted the singularity of it in that respect, rather than any other. But he seems to place the singularity of it in this, that she condescended of her own accord to do public penance in a case where no laws of the church could have obliged her to it. For whilst her husband lived, no constraint could be laid upon her; it being a rule not to admit married persons [9] to public penance without consent of both parties; and when her husband was dead, her crime perhaps was one of that nature which did not directly bring her under the power of ecclesiastical censure, but by her own consent. For, as we shall see more by and by, there were many crimes of that nature which, though allowed to be sins of no mean size, yet could not bring men against their wills to a course of public penance by any laws of the church.

Sect. 3. The rich as well as the poor. No commutation of penance allowed, nor friendship, nor favour.

But where the crimes were flagrant, and such as the church could take cognizance of, there she usually proceeded without respect of persons. No regard was had to the rich more than the poor, but all criminals were considered alike, in the business of repentance, as equally obliged to comply with the stated rules of discipline, in order to gain admission into the church after an expulsion. There was but one door of re-entry, which is so often called *justa* and *legitima pœnitentia*, the just and legal penance, by Cyprian [10] and other writers; and no commutation was thought an equivalent, where this was wanting. Which is evident from this, that they would not accept any gifts or oblations from excommunicate persons, or heretics, or schismatics, or any that were not in full communion with the church,[11] lest this should look like communicating with them before their time, and receiving their money in lieu of repentance. Cyprian indeed once intimates, that there were some who for filthy lucre [12] were inclined to accept persons; and who, to make a market of unlawful gain, would gratify the rich and those who could give large gifts, to get them an easier way of admittance than by the severe and tedious way of a just and full penance; but he very sharply inveighs against these, and all their sinister arts of dissolving discipline, and ruining men's souls, under pretence of granting them a fallacious and deceitful peace, which was their real destruction.

Sect. 4. What privilege some claimed upon the intercession of the martyrs in prison for them. And how this was answered by Cyprian.

One of these insidious arts, which they managed with some colour and dexterity, was to get the martyrs and confessors in prison to intercede with bishops for such, and write letters in their favour. For we must know, that anciently the martyrs were allowed this privilege, when any penitent had well nigh performed his legal penance, and was near upon being received again, to write letters to the bishop, that such a one might be admitted to communion, though his full term of penance was not quite expired. And so far their petition was commonly accepted. But these crafty men, for a little under-hand gain, had got a trick to desire the martyrs to intercede for such as had done little or no penance: nay, they abused their privilege so far, as peremptorily to require the admission of such, without any previous examination of their merits: and sometimes they required the bishop, not only to admit such a penitent, but all that belonged to him; which was a very uncertain and blind sort of petition, and created great envy to the bishop, when perhaps twenty,[13] or thirty, or a greater number of nameless persons were included in one libel, and the bishop was forced to do a very ungrateful office, and deny them altogether. Cyprian complains much of these abuses, both in his letter to the martyrs, and in others written upon the same subject to his clergy [14] and people. But chiefly he complains of those libels, which were sent to him by Lucian the martyr, one of which runs in this [15] form: "All the confessors to Cyprian the bishop, greeting: Know that we have granted peace to all those, of whom you have had an account how they have behaved themselves since the commission of their crimes: and we would that these presents should be notified by you to the rest of the bishops. We wish you to maintain peace with the holy martyrs." This Lucian had written many such letters

[9] Conc. Arelat. 2. can. 22. Pœnitentiam conjugatis non nisi ex consensu dandam.

[10] Cypr. Ep. 10. al. 16. ad Cler. p. 37. Ep. 62. al. 4. p. 9. De Lapsis, p. 129. Conc. Eliber. can. 14. et can. 3.

[11] See before, chap. 2. sect. 13, and Book XV. chap. 2.

[12] Cypr. Ep. 11. al. 15. ad Martyr. p. 35. Qui personas accipientes, in beneficiis vestris aut gratificantur, aut illicitæ negotiationis nundinas aucupantur.

[13] Cypr. Ep. 11. al. 15. ad Martyr. p. 35. Audio quibusdam sic libellos fieri, ut dicatur: Communicet ille cum suis. Quod nunquam omnino a martyribus factum est, ut incerta et cœca petitio invidiam nobis postmodum cumulet: late enim patet quando dicitur, Ille cum suis; et possunt nobis viceni, et triceni, et amplius offerri, qui propinqui et affines, et liberti ac domestici esse asseverentur ejus, qui accipit libellum.

[14] Cypr. Ep. 10. al. 16. ad Cler. Ep. 12. al. 17. ad Plebem. Ep. 18. al. 26. ad Cler.

[15] Lucian. Ep. ad Cypr. 17. al. 23. Scias nos universis, de quibus apud te ratio constiterit, quid post commissum egerint, dedisse pacem: et hanc formam per te et aliis episcopis innotescere voluimus. Optamus te cum sanctis martyribus pacem habere. Vid. Lucian. Ep. 20. al. 22. ad Celerin. p. 47.

before in the name of Paulus the Confessor, whilst he was in prison, and others after his death, saying he had his command so to do. All which Cyprian complains of in a letter to the clergy of Rome,[16] as a thing dissolving all the bands of faith, and the fear of God, and the commandments of the Lord, and the holiness and vigour of the gospel; and as creating great envy to the bishops, whilst they were forced to deny to lapsers what they boasted to have obtained of the martyrs and confessors. This occasioned, he says, great seditions and tumults: for in many cities throughout the province of Carthage, the people rose up in multitudes against their bishops, and by their clamours compelled them to grant them instantly that peace, which, they all said, the martyrs and confessors had given them: they who had not courage enough and strength of faith to resist them, were by this means terrified and subdued into a compliance with them. And he had much ado himself to withstand them at Carthage: for some turbulent men, who were hardly governable before, and thought it much to be kept back from communion till he returned out of exile, when they had gotten these letters of the martyrs, were all in a flame upon the strength of them, and began to rage immoderately, and in an extorting manner demand the peace which, they said, the martyrs had granted them.

By this representation of Cyprian, and his remonstrance upon it, it is easy to discern what mischief the abusing this privilege of the martyrs did to the true exercise of discipline; whilst some out of lucre, others out of terror, complied with the lapsers' unreasonable demands, and let the rich and the great escape punishment, and intrude themselves into the communion of the church again without any sufficient evidences of repentance: but they who, like Cyprian, had integrity and firmness enough to oppose these impious practices, kept up the discipline of the church in its true vigour, and would hearken to no pretences or conditions of this kind, which only tended to impose upon them with false shows of a deceitful peace, and profane the mystery of the holy sacrament, by giving it to the impenitent and the ungodly.

Sect. 5. Magistrates and princes subject to ecclesiastical censures, as well as any others.

Neither was it only men in a private condition they thus treated, but also those of the highest rank and dignity. For the civil magistrates and princes were subject to ecclesiastical censures, as well as any others. In the times of persecution, the very taking of some civil offices made Christians liable to excommunication. Particularly if they took upon them the office of the *duumviri*, or the provincial office of the *flamines*, or *sacerdotes provinciarum*: because, as Gothofred[17] shows out of many laws of the Theodosian Code, these offices obliged them to exhibit the usual games or shows to the people; which in time of heathenism could not be done without involving them in some measure in the guilt of idolatry, to which those games were consecrated. For which reason, any Christian undertaking such an office, was reputed an encourager and partaker of idolatry, though he did not actually sacrifice to idols in his office. Upon which account, the council of Eliberis,[18] which was held in time of persecution, anno 305, or thereabouts, orders, That if any Christian took upon him the office of a *flamen*, though he did not sacrifice, but only exhibit the idolatrous shows to the people, he should be kept under strict penance all his life, and only be admitted to communion at his death; and that in consideration that he had abstained from offering the abominable sacrifices: for if he had offered sacrifice, then, by the preceding canon,[19] he was denied communion to the very last. Nay, though they had neither sacrificed, nor exhibited the shows out of their expense to the people, but only worn the crown in their office, by two other canons[20] of the same council, they were to be denied the communion for a year or two. So that the being in a public office, was so far from exempting a magistrate from the censures of the church, that in many cases it was the very reason why they were executed with greater severity upon him, whilst no man could go through such an office without the guilt and stain of idolatry in some measure sticking to him. And when these offices were freed from idolatry; yet if a magistrate still committed other crimes worthy of ecclesiastical punishment, the censures of the church, notwithstanding his office, would lay hold of him, and the name or character of a magistrate would give him no protection. This appears plainly from the proceedings of Synesius[21] against Andronicus, the governing magistrate of Ptolemais, whom he formally excommunicated, with all his accomplices; and from what has been observed before,[22] of the judge that was censured in the time of Julian, mentioned by St. Ambrose;[23] and Athanasius excommunicating the governor of Libya for his im-

[16] Cypr. Ep. 23. al. 27. ad Cler. Rom. p. 52.

[17] Gothofred. Paratitlon. ad Cod. Theod. lib. 15. Tit. 5. de Spectaculis.

[18] Conc. Eliber. can. 3. Flamines, qui non immolaverint, sed munus tantum dederint, eo quod se a funestis abstinuerunt sacrificiis, placuit in fine eis præstari communionem, acta tamen legitima pœnitentia.

[19] Ibid. can. 2. Flamines, qui post fidem lavacri sacrificaverunt, placuit nec in fine eos accipere communionem.

[20] Ibid. can. 55. Sacerdotes, qui tantum coronam portant, nec sacrificant, nec de suis sumptibus aliquid ad idola præstant, placuit post biennium accipere communionem. It. can. 56. Magistratum vero, qui agit duumviratum, uno anno prohibendum placuit, ut se ab ecclesia cohibeat.

[21] Synes. Ep. 58.

[22] See chap. 2. sect. 11.

[23] Ambros. Ep. 29. ad Theodos.

moralities, mentioned by St. Basil,[24] which need not here be repeated. To these I add that general rule of the first council of Arles, made with relation to all governors of provinces, That when they went to the government of any province,[25] they should take communicatory letters from their own bishop along with them, and be subject to the care of the bishop of the places wherever they went; so as, if they committed any thing contrary to the public discipline, they were to be excluded from the communion of the church. This was no rule to deprive magistrates of their office, though they were heretics or schismatics, as Baronius[26] would have it understood: for, as Albaspiny, in his notes upon the place, more truly observes against him, there is not a word about this in the canon: neither is it likely that a provincial council should make a decree about that which is no way in their power, but in the power of the prince only. They might order, and that with good reason, he says, That no heretic or schismatic, although he was the governor of a province,[27] should be admitted to communicate with the church; but that, therefore, he should be removed from his government, because he was a heretic, was at the will and discretion of the prince, and not of the church: it belongs to the prince, and not the church, to take away the power of subordinate magistrates from them. The plain drift, therefore, of this canon is, not to deprive inferior magistrates of any civil power or jurisdiction, which the supreme magistrate committed to them; which the church had no authority to do: but only to deny them her own communion, if unworthy of it; which was a thing then uncontested, and indisputably within the limits of her power.

Neither need we wonder at this, since the church laid claim to a higher power, even of excluding princes, or the supreme magistrates, from her communion, when guilty of notorious violations of the laws of Christian society; of which there are certain evidences both in the doctrine and practice of the ancient bishops of the church. The story which is related by Eusebius concerning the emperor Philip, though disputed by many as to the truth of the fact, yet is a sufficient evidence of the opinion of Eusebius, who relates it. Now he tells us,[28] There was a tradition that he was a Christian, and that on the vigil of the passover he desired to communicate in prayers with the rest of the people; but that the bishop, who then presided, would not suffer him to enter, before he had confessed his crimes, and joined himself to those who had sinned, and stood in the place or order of the penitents; for otherwise he could not be received by him, for the many crimes which he had committed. Upon which the emperor willingly obeyed, demonstrating his sincere and religious disposition towards the fear of God by the tenor of his actions. Some question the truth of the story,[29] and think that it is a mistake of Philip the emperor, for one Philip the *præfectus augustalis* of Egypt, who was a Christian: others defend it as a true relation,[30] only they think it was a transaction in private, which is the reason we have no account of it in heathen story. But whether the fact was true or false, the reflection made upon it by Eusebius is of great moment in the present question. For he, supposing him to have been a Christian, says, Without such a compliance the bishop would never have admitted him. Which remark is sufficient to show the nature of the church's discipline in general, whatever becomes of the truth of this particular story.

Filesacus[31] and Valesius[32] confound this story with the relation which St. Chrysostom gives of Babylas, denying entrance into the church to one of the Roman emperors, upon the account of a barbarous murder committed by him upon a son of some confederate prince, who was intrusted as an hostage with him. Chrysostom names neither the emperor nor the confederate prince, and the stories differ in the whole relation, but especially in this material circumstance, that Philip is said to comply with the bishop's admonition, and stand in the order of penitents; but he whom Chrysostom speaks of, was so far from submitting to the admonition of Babylas, that he remained incorrigible, and grew enraged, and cast him into prison, and loaded him with chains, which the martyr ordered to be buried with him, when the tyrant put him to death. So that this could not be Philip, but Decius, the persecuting heathen, under whom Babylas suffered. However, Chrysostom makes some curious remarks upon the behaviour of Babylas, both in reference to his courage and prudence, which abundantly shows the spirit of discipline then prevailing in the church. For, 1. He remarks, That Babylas acted with the freedom and boldness of Elias and St. John Baptist,[33] driving out of the church, not a tetrarch of a few cities, nor a king of one nation, but him who governed the greatest part of the world, a murderer, who had many nations, many cities, and a prodigious

[24] Basil. Ep. 47.

[25] Conc. Arelat. 1. can. 7. De præsidibus placuit, ut cum promoti fuerint, literas accipiant ecclesiasticas communicatorias: ita tamen ut in quibuscunque locis gesserint, ab episcopo ejusdem loci cura de illis agatur; ut cum cæperint contra disciplinam publicam agere, tunc demum a communione excludantur. Similiter et de his fiat qui rempublicam agere volunt.

[26] Baron. an. 314. n. 57.

[27] Albaspin. in can. 7. Conc. Arelat.

[28] Euseb. Hist. lib. 6. cap. 34.

[29] Cave, Prim. Christ. part 1. cap. 3. p. 46.

[30] Pagi, Critic. in Baron. an. 244. n. 4. ex Huet. Origenian. lib. 1. cap. 3. n. 12.

[31] Filesac. Not. in Vincent. Lirin. cap. 23. n. 125.

[32] Vales. Not. in Euseb. lib. 6. cap. 34.

[33] Chrys. de Babyla. sive cont. Gentiles, t. 1. p. 740.

army at his command; one that was in all respects terrible, as well upon the account of his immense dominions, as the fierceness and cruelty of his temper: him he expelled as a vile and worthless slave, with as much intrepidity, constancy, and bravery of mind, as a shepherd would drive away from his flock a scabbed and infected sheep, to prevent the contagion of the distemper from spreading to the rest of the flock. Here he breaks out into a rapture, admiring his undaunted mind, his lofty soul, his heavenly terror of spirit, and angelical constancy, superior to all this visible world, and only fixed upon God the supreme King; acting as if he stood before the great Judge, and heard him say, Cast out the wicked and infected sheep from the holy flock. 2. Hence he observes, how fearless and undaunted Babylas must be with respect to other men, who gave such a specimen of his power over the emperor. He could never act or speak out of favour or hatred, but with a mind equally fortified against fear and flattery, and all other things of the like nature, which are apt to beset men, he stood firm, and did not in the least corrupt right judgment. 3. He remarks further, how he tempered his courage with Christian prudence, observing a decent mien in his behaviour. A man of his undaunted spirit might have gone much further. He might have railed at the emperor, and reviled him; he might have pulled the crown from his head, and have beaten him on the face: but his soul was seasoned with spiritual salt, which taught him to observe a decorum in all his management, and do nothing rashly or foolishly, but by the rules of right reason, which was a thing the philosophers in their reproofs of kings seldom observed. Hence he remarks, 4. Of how great advantage this example was to all men, both believers and unbelievers. The unbelievers were astonished at the action, and admired it; for they, seeing the intrepidity of the servants of Christ, could not but deride the abject servility of those who ruled in the heathen temples, when they observed them always more disposed to worship their kings than their gods or idols. Whereas Babylas punished the injurious king, as far as it was lawful for a priest[34] to do; he pulled down the high spirit of the prince; he vindicated the Divine laws when they were violated; he punished the king for his murder with a punishment that, to all men of a sound mind, is the most terrible of any other. He did not, like Diogenes, bid him stand out of his sunshine; but when he thrust himself impudently within the sacred boundaries of the church, and confounded all good order, he drove him from his Master's house, as he would have done a dog, or an offending slave. And so the holy man took down the confidence of unbelievers, who were then the greatest part of the Roman empire. And for those who had already embraced the faith of Christ, he, by this act, made them more circumspect and religious; not only private men, but soldiers, captains, and generals; shewing them, that among Christians the prince and chief of all are but names, and that he that wears the crown, when he is to be punished and rebuked, is no more considered than one of the lowest order.[35] Hence he concludes, lastly, That this rare example of virtue was matter of instruction both to priests and princes, to teach princes to submit to the rules of discipline, and priests to take courage in the exercise of it; forasmuch as that the care of the world, and what is done in it, is as properly committed to them, as to him that wears the purple; and that they ought rather to part with their lives, than part with or diminish that power and authority which God from above has committed to them. Any one may perceive by this discourse of St. Chrysostom, what opinion he had of the power and extent of ecclesiastical discipline, even over sovereign princes; not to pull off their crowns, and dethrone them; not to ravish away their temporal power, under the pretence of the spiritual power being superior; nor yet to speak evil of dignities, or treat them unmannerly, and revile them; but only to debar them from the communion of the church, when by notorious wickedness they rendered themselves altogether unworthy, and really incapable of it. Which is agreeable to that general direction he gives in another place to the clergy, not to admit any one of notorious improbity, cruelty, or impurity to the Lord's table: Although it be a commander, says he,[36] or a governor, or even he that wears the diadem, that comes unworthily, prohibit him: thou hast greater power than he. He adds a little after, If thou art afraid to do this, bring him unto me. I will not suffer any such thing to be done; I will sooner give my own life, than the body of the Lord unworthily; I will shed my own blood, before I will give that most holy blood to an unworthy man.

But there is none more famous than St. Ambrose for his remarkable freedom in this matter with the greatest of princes, whether in admonishing them, or in denying them the communion upon the commission of some great offences. Paulinus, the writer of his Life, says, he separated Maximus from the communion,[37] admonishing him to repent for shed-

[34] Chrys. de Babyla. sive cont. Gentiles, t. 1. p. 747.

[35] Ibid. p. 749.

[36] Chrys. Hom. 82. sive 83. in Mat. p. 705. Κἂν στρατηγὸς τὶς ᾖ, κἂν ὕπαρχος, κἂν αὐτὸς, ὁ τὸ διάδημα περικείμενος, ἀναξίως δὲ προσείῃ, κώλυσον, μείζονα ἐκείνου τὴν ἐξουσίαν ἔχεις.

[37] Paulin. Vit. Ambros. Ipsum Maximum a communionis consortio segregavit, admonens, ut effusi sanguinis Domini sui ageret pœnitentiam, si sibi apud Deum velit esse consultum.

ding the blood of Gratian his lord, if ever he hoped to find mercy at the hands of God. So when Valentinian was solicited by Symmachus, the heathen governor of Rome, to restore the Gentile rites, and suffer the altar of Victory to be repaired in the capitol; St. Ambrose wrote to him, and told him, among many other arguments, That if he thus gratified the heathen in restoring idolatry, the bishops[38] could not bear or dissemble it with a patient mind. He might, if he pleased, come to church, but he would either find no priest there, or else only one to resist him, and deny him communion. And what will you answer, says he, to the priest, when he tells you, The church desires not your oblations, or gifts, because you have adorned the temples of the Gentiles with your gifts? The altar of Christ refuses your gifts, because you have erected an altar to the idol gods.

But the most remarkable instance of his freedom was showed in his treatment of Theodosius the Great, after he had inhumanly put to death seven thousand men at Thessalonica, without distinguishing the innocent from the guilty. When he had committed this fact, not being very sensible of his crime, he came to Milan, and, according to custom, was going to church; but St. Ambrose met him at the gate, and accosted him in this manner, as Theodoret[39] relates the story: You seem not to understand, sir, the greatness of the murder you have committed. Your anger not being yet allayed, hinders your reason from considering what you have done. And perhaps the greatness of your empire will not suffer you to acknowledge your offence, and power opposes itself to reason. But you must know, that our nature is mortal and frail: our original is dust, whence we were taken, and into which we must return again. It is not fit you should deceive yourself with the splendour of your purple, and forget the weakness of the body that is covered with it. Your subjects, sir, are of the same nature with yourself, and you are a servant as well as they: for we have one common Lord and King, the Maker of this universe. Therefore with what eyes will you look upon the house of our common Lord? With what feet will you tread his holy pavement? Will you stretch forth those hands still dropping with the blood of that unjust murder, and therewith take the holy body of the Lord? And then put the cup of that precious blood to your mouth, who have shed so much blood by the hasty decree of an angry mind? Depart, I beseech you, and do not aggravate and augment your former iniquity by the addition of a new crime. Refuse not those bonds which the Lord of all confirms from heaven above. It is but a small thing that is laid upon you, but it will recover you to perfect health and salvation. The emperor, who had been educated in the holy doctrine, and knew what were the different offices of priests and kings, was so moved with these words, that he returned to his palace with groans and tears. Eight months passed between this and the festival of our Saviour's nativity, and all that time the emperor sat lamenting in his own palace, and shedding rivers of tears. Which Ruffin, the master of the palace, who, for his familiarity with the emperor, could take a great freedom with him, observing, he came to him, and desired to know the reason of his tears. To whom the emperor replied, You make a jest of the thing, Ruffin; for you are not touched with the sense of my misfortunes: but I mourn and lament in consideration of my calamity, that whilst the temple of God is open to the very slaves and beggars, and they can go in freely, and supplicate their Lord, it is inaccessible to me; and besides all this, heaven is shut against me; for I remember the words of our Lord, which plainly say, "Whomsoever ye shall bind on earth, he shall be bound in heaven." Then Ruffin said, I will go therefore to the bishop, if you please, and entreat him to loose your bonds. The emperor replied, He will not be persuaded. For I know the justice of the sentence which St. Ambrose has given, and he will not, out of any reverence to the imperial power, transgress the Divine law. But Ruffin insisted, and with many words promising to appease Ambrose towards him; he bid him go quickly, and he himself followed a little after, relying upon the promises of Ruffin. But St. Ambrose no sooner saw Ruffin, but he said to him, Ruffin, thou art a very shameless man. For thou wast the evil counsellor of so great a slaughter, and now thou hardenest thy forehead, and hast cast away shame, neither blushing nor trembling for so great a ravagement made of the image of God. Ruffin still went on with his supplication, and told him the emperor himself was a coming. At which Ambrose, kindled with a Divine fervour, said, I tell thee beforehand, Ruffin, I will not admit him within the Divine gates: but and if he will turn his empire into tyranny, and slay me also, I shall with great pleasure take my death. Ruffin, hearing this, sent one immediately to the emperor, to certify him of the bishop's resolution, and to desire him to stay in the palace: but the emperor, being on his way in the middle of the forum when he received the message, said, I will go and bear

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[38] Ambros. Ep. 30. ad Valentin. Junior. Certe episcopi hoc æquo animo pati et dissimulare non possunt. Licebit tibi ad ecclesiam convenire: sed illic non invenies sacerdotem, aut invenies resistentem. Quid respondebis sacerdoti dicenti tibi; munera tua non quærit ecclesia, quia templa Gentilium muneribus adornasti. Ara Christi dona tua respuit, quoniam aram simulacris fecisti.

[39] Theod. lib. 5. cap. 18.

his just reproofs. When he came to the holy boundaries, he would not enter into the church, but going to the bishop, as he sat in the saluting-house, he begged of him to absolve him from his bonds. But Ambrose told him, This his coming was tyrannical; and that he now began to rage against God, and trample upon the Divine laws. The emperor said, By no means: I do not offer myself against the prescript of the laws, I do not desire to enter the church in an unlawful manner; but I entreat you to absolve me from my bonds, and to remember the clemency of our common Lord, and not shut the gate against me, which the Lord hath opened to all those that turn to him with repentance. What repentance, then said the bishop, have you showed since the commission of so great a wickedness? With what medicine have you cured your grievous wounds? The emperor replied, It belongs to your office to prepare the medicine, and cure those wounds, and my part is to use what you prescribe. Then said Ambrose, Forasmuch as you have suffered anger and fury, and not reason, to sit in judgment and give sentence in matters before; now make a law which may render all judgment given in anger null and void: when any sentence of death or confiscation is pronounced, let there be thirty days' time between that and the execution, to wait for the judgment of reason. When this term is expired, let the scribes again present the sentence you have given before you, and then reason without anger will be able to examine the sentence by her own judgment, and discern whether it be just or unjust. If it be unjust, cancel and reverse it; if just, corroborate and confirm it: and this number of days will be no prejudice to any righteous sentence. The emperor approved of the proposal, and immediately ordered such a law to be written, and confirmed it with his own hand. Then St. Ambrose absolved him from his bonds, and the emperor took courage to enter into the church: but he would neither stand nor kneel, while he made supplication to the Lord, but fell upon his face to the earth, using those words of David, "My soul cleaveth to the ground, quicken thou me according to thy word;" and tearing his hair, and beating his forehead, and watering the pavement with drops of tears, with these indications of sorrow he prayed for pardon. And so, when the time of the oblation came, he was admitted again to make his offering at the holy table.

I have related this matter at full length in Theodoret's words, because, as he there observes, it is such an illustrious instance of the virtue both of the bishop and the emperor, showing the freedom and flaming fervour of the one, and a great condescension, obedience, and purity of faith in the other. Theodoret adds, That when the emperor was returned to Constantinople, he was pleased to say, He had now learned the difference between an emperor and a bishop; he had now at last found a guide to show him what was truth: for Ambrose alone was worthy the name of a bishop. So useful an impression, says our author, does a reproof or admonition make, when given by a man of shining virtue.

After this it is needless to relate any later instances of this kind of discipline exercised upon princes: but it may be proper to remind the reader here again of that necessary distinction between the greater and lesser excommunication, the former of which separates a criminal from all manner of society with the faithful, the other only from communion and society in holy things in the church; and to observe, with many learned men, that these excommunications of princes now mentioned, never went further than to a prudent admonition, and suspension of them from the sacrament and the holy offices of the church. St. Ambrose, says Bishop Buckeridge,[40] in answer to Bellarmine, did plainly prohibit Theodosius from entering the church, and partaking of the sacraments; but he neither delivered him to Satan, nor reduced him into the number of publicans or pagans, nor separated him from all society and communion with the faithful. If Bellarmine spake properly of the greater excommunication, the proof of a doubtful matter lies upon him; if only of the lesser excommunication, or suspension, which forbids men entrance into the church, and communion in the sacraments, we do not deny but that Theodosius was so excommunicated by St. Ambrose. For St. Ambrose[41] told him, He durst not offer the sacrifice, if he was present. He thought he saw him in a vision come to the church, and then he durst not celebrate because of his presence. He could not accept his oblation, till he had power to offer, and till his offering would be acceptable to God. He suspended him therefore from the sacrament, but did not lay upon him the anathema, or greater excommunication. Bishop Taylor[42] takes excommunication in this sense, when he says, "If we consult the doctrine and practices of the fathers in the primitive and ancient churches, we shall find that they never durst think of excommunicating kings. The first supreme prince that ever was excommunicated by a bishop, was Henry the emperor, by Pope Hildebrand." He adds, "That

[40] Joan. Roffens. de Potest. Papæ Temporali. lib. 2. cap. 39. p. 927. In his aperte prohibet Ambrosius Theodosium ab ingressu ecclesiæ et communione sacramentorum, sed nec Satanæ tradit, nec in numerum publicanorum et ethnicorum redigit, nec cœtu et communione fidelium separat, &c. See Dr. Barrow of the Pope's Supremacy, p. 12.

[41] Ambros. Ep. 28. ad Theodos. Offerre non audeo sacrificium, si volueris assistere.—Venisse visus es ad ecclesiam, sed mihi sacrificium offerre non licuit.—Tunc offeres, cum sacrificandi acceperis facultatem, quando hostia tua accepta sit Deo.

[42] Taylor, Duct. Dubitant. lib. 3. cap. 4. p. 604.

there is one portion of excommunication which is a denying to administer the holy communion to princes of a scandalous and evil life; and concerning this there is no question but the bishop not only may, but in some cases must do it. Christ says, 'Give not that which is holy unto dogs, and cast not pearls before swine.' Whatsoever is in the ecclesiastical hand by Divine right, is as applicable to him that sits upon the throne, as to him that sits upon the dunghill." But then he says one thing, which, as I conceive, contradicts this: viz. "That this refusing must be only by admonition and caution, by fears and denunciations evangelical, by telling him his unfitness to communicate, and his danger if he do: but if after this separation[43] by way of sentence and proper ministry, the prince will be communicated, the bishop has nothing else to do, but to pray and weep, and willingly to minister." This not only contradicts what he just says before, that a bishop is obliged in duty to deny to administer the communion to princes of a scandalous and evil life, but is directly contrary to the doctrine and practice of St. Chrysostom and St. Ambrose, who profess they would rather die than give the communion to a prince that was utterly incapable and unworthy of it.

Sect. 6. In what cases the greater excommunication was forborne for the good of the church.

Yet as to what concerns the greater excommunication, it is cèrtain that in some cases it was forborne, not only with relation to princes, but the people also. For prudence directed them to do every thing for the good of the church, and to use this severe weapon only to edification, and not to destruction. And, therefore, when it was apparent, or but highly probable, that the intemperate and indiscreet use of it might do more harm than good to the church, there both reason and charity directed them to wave the use of it, for fear of rooting up the wheat with the tares before the proper time of judgment. As to princes, Dr. Barrow, in a few words, which contain a great deal of ancient history, has further observed,[44] "That though there were many sovereign princes in the primitive church, who were heretics and enemies to true religion, yet no ancient pope seems to have been of opinion that they might excommunicate them. For, if they might, why did not Pope Julius, or Pope Liberius, excommunicate Constantius, the great favourer of the Arians? How did Julian himself escape the censure of Liberius? Why did not Damasus thunder against Valens, that fierce persecutor of the catholics? Why did not Damasus censure the empress Justina, the patroness of Arianism? Why did not Siricius censure Theodosius for that bloody fact, for which St. Ambrose denied him the communion? How was it that Pope Leo (that stout and high pope) had not the heart to correct Theodosius junior in his way, who was the supporter of his adversary Dioscorus, and the obstinate protector of the second Ephesine council, which that pope so much detested? Why did not that pope rather compel that emperor by censures, than supplicate him by tears? How did so many popes connive at Theodoric, and other princes, professing Arianism at their door? Why did not Simplicius, or Felix, thus punish the emperor Zeno, the supplanter of the council of Chalcedon, for which they had so much zeal? Why did neither Felix, nor Gelasius, nor Symmachus, nor Hormisdas, excommunicate the emperor Anastasius, (yea, did not so much, Pope Gelasius says, as touch his name,) for countenancing the Oriental bishops in their schism and refractory non-compliance with the papal authority? Those popes did, indeed, clash with their emperor, but they expressly deny that they did condemn him, with others whom he did favour. We, says Pope Symmachus, did not excommunicate you, O emperor,[45] but Acacius. If you mingle yourself, you are not excommunicated by us, but by yourself. And, says Gelasius,[46] if the emperor is pleased to join himself with those that are condemned, that cannot be imputed to us. Wherefore Baronius doth ill,[47] in affirming Pope Symmachus to have anathematized Anastasius; whereas that pope plainly denied it even in those words which are cited to prove it, being rightly read: for they are corruptly[48] written in Baronius and Binius; *ego* (which hath no sense, or one contradictory to his former assertion) being put for *nego*, which is good sense, and agreeable to what he and the other popes do affirm in relation to that matter," that they did not pretend to anathematize the emperor with other heretics whom they so condemned.

Indeed there were three reasons why the ancients forbare to anathematize sovereign princes. One was that which has just now been mentioned, because they thought they had no power to excommunicate them in such manner, but only to deny them the participation of the eucharist. Another reason was, that heretical princes did in effect ex-

[43] Taylor, Duct. Dubitant. lib. 3. cap. 4. p. 605. See also his Worthy Communicant, chap. 5. sect. 6. p. 487.

[44] Barrow of the Pope's Supremacy, p. 12.

[45] Symmach. Ep. 6. Nos non te excommunicavimus, sed Acacium.—Si te misces, non a nobis, sed a teipso excommunicatus es.

[46] Gelas. Ep. 4. Si isti placet se miscere damnatis, nobis non potest imputari

[47] Baron. an. 503. n. 17.

[48] Symmach. Ep. 7. Dicis quod, mecum conspirante senatu, excommunicaverim te. Ista quidem ego, sed rationabiliter factum a decessoribus meis sine dubio subsequor. So Baronius and Binius read it, Ista quidem ego; but the true reading is, Ista quidem nego, I deny that I excommunicated you. And yet Labbe retains that corrupt reading without any remark upon it. Conc. t. 4. p. 1298.

communicate themselves, by deserting the church, and joining with heretics, and therefore the church had no reason to pronounce anathema against them. A third reason was, that the doing so might have done more harm than good to the church, by irritating and exasperating the minds of heretical princes to persecute the church with greater malice, and thereby many weak members of the church might have been scandalized and offended. Therefore Bishop Buckeridge[49] says, In such cases, where princes are fierce and cruel, and impatient of reproof and indignity, it were perhaps better to abstain from the severity of the lesser excommunication as well as the greater, rather than for a bishop to provoke an armed fury to turn itself both upon him and the church; it were better to keep the sword in the sheath, than to unsheath it to the detriment and destruction of the church and religion. Therefore, admitting that of right kings and emperors might be excommunicated, yet the expediency of the thing is a very different question, and remains yet not perfectly resolved, whether it be for the advantage of the church to use such severity against her patrons, her defenders, and her advocates, that is, emperors and kings.

And this consideration of expediency made St. Austin and others determine, not only in the case of kings, but the people also, That when the whole multitude were involved in the same crime, either by actual commission, or abetting, or applauding the practice of it, that then the severity of excommunication, especially in the highest degree, could not be used toward them with any sort of prudence, for fear it should have either no effect, or a very bad one. When a single criminal is separated by discipline from the society of the church, the being avoided by the rest is a proper way to bring him to shame; but when the whole society, or a considerable part of it, is involved in a common crime, there is no possibility of putting such a multitude of criminals out of countenance, because they will encourage and bear up one another; and therefore in that case to exercise severity of discipline upon them, is only to make it despised by them, and to throw the church into schisms and convulsions, by the opposition of the turbulent and factious, and to scandalize the weak and injudicious, who will be led away by the powerful side, and perish by rooting out the tares before the time. St. Austin argues this matter frequently with the Donatists, who were for having a church without spot and wrinkle upon earth, and for rooting out the tares wherever they found them, whatever consequences might attend it. Though he observes they did not keep to their own rule; for they tolerated one Optatus Gildonianus, a most infamous man, noted for his villanies over all Africa, and did not excommunicate him, for fear he should have carried off a multitude with him, and have broken their communion by new schisms and subdivisions among themselves. St. Austin[50] does not blame them for this, but only objects it to them as an argument *ad hominem*, to show them that they ought not to blame the church for doing that in necessity, which they themselves were forced to do upon the like occasion. As to the practice of the church, he freely owns she was forced many times to tolerate the tares among the wheat, when they were grown numerous, and it was dangerous to eradicate them by the rough means of severe discipline, for fear of overturning the church, and destroying its unity and peace by dangerous schisms, and scandalizing more weak souls that way than they could hope to gain by the other. It was so in Cyprian's time, he says, and it was so in his own. He often repeats and urges upon this occasion that famous passage of Cyprian in his book De Lapsis, where, speaking of the reasons of God's visiting the church with that terrible persecution, he plainly intimates, that such numbers, both of the clergy and laity, had corrupted their morals, that good men could do nothing but mourn, and keep themselves as well as they could from partaking in their sins: but that could not then be done by the exercise of discipline, by reason of the numbers of all orders that were to be subjects of it; many of those who were to exercise it, being themselves the most obnoxious; and it was not to be expected that they should be very forward to put it in execution. So that the disease being grown too obstinate and strong to be cured this way, there remained no other remedy but the severity of a Divine judgment, to rectify by an extraordinary scourge, what human power could not do in the ordinary way at such a juncture. The Lord, says Cyprian,[51] was therefore minded himself to prove his family, and because a long peace had corrupted the discipline that was given us from heaven, the Divine judgment stepped in to raise up that faith which was fallen and almost laid asleep. All men's minds were set upon augmenting their estates; and forgetting what the first Christians did in the times of the apostles, and

[49] Joan. Roffens. de Potestate Papæ in Temporalibus, lib. 2. cap. 39. p. 931.

[50] Aug. Ep. 164. ad Emeritum Donatistam. Non ergo reprehendimus, si eo tempore, ne multos secum excommunicatus traheret, et communionem vestram schismatis furore præcideret, eum excommunicare noluistis. Vid. Aug. Ep. 170. ad Severinum. Ep. 171. ad Donatistas. Cont. Epist. Parmenian. lib. 2. cap. 2. Optatum Gildonianum decennalem totius Africæ gemitum, tanquam sacerdotem atque collegam honorantes in communione tenuerunt, &c.

[51] Cypr. de Lapsis, p. 123. Dominus probari familiam suam voluit, et quia traditum nobis divinitus disciplinam pax longa corruperat, jacentem fidem, et pene dixerim dormientem censura cœlestis erexit, &c.

what they ought always to do, they by an insatiable ardour of covetousness only studied to increase their fortunes. There was no true religion or devotion in the priests, no sincere faith in the ministers, no mercy in their works, no discipline in their morals. Effeminacy and fraud were reigning vices both in men and women. They made no scruple to marry with infidels, and prostitute the members of Christ to the heathen. They were equally given both to profane swearing and perjury, to contemn their governors with swelling pride, to curse themselves with venomous tongues, and with inveterate hatred and animosities to quarrel with one another. Many bishops, who ought to have been both monitors and examples to the rest, forsook their Divine calling, to take upon them the management of secular affairs; and leaving their sees, and deserting their people, they rambled about other provinces, seeking for such business as would bring them in gain and advantage. In the mean time, they suffered the poor of the church to starve, whilst they themselves minded nothing but heaping up riches, and getting of estates by fraud and violence, by usury and extortion. What did we not deserve to suffer for such sins as these? Our crimes required that, for the correction of our manners and the trial of our faith, God should bring us to severer remedies.

Cyprian here plainly intimates, that in such a corrupt state of affairs the discipline of the church could not be maintained, or be rightly put in execution. He was forced to endure these colleagues of his, who were covetous, rapacious, extortioners, usurers, deserters, fraudulent, and cruel. It was impossible to exercise church censures with any good effect, when there were such multitudes both of priests and people ready to oppose them, and distract the church into a thousand schisms, rather than suffer themselves to be curbed or reformed that way: and therefore when no other practicable method was left, the Divine censure was necessary, as the last and only remedy.

And this is what St. Austin so often tells the Donatists, that the church followed the example of Cyprian in this matter. When we are not permitted to excommunicate offenders[52] for the sake of the peace and tranquillity of the church, we do not therefore neglect the church, but only tolerate what we would not, to obtain what we would have, using the caution of our Lord's command, lest, whilst we gather out the tares before the time, we should with them root up the wheat also: following also the example and precept of St. Cyprian, who endured, with a view and regard to peace, many of his colleagues, who were usurers, defrauders, rapacious, and yet he was not infected with their contagion. So he says again, The evil are sometimes to be endured for the sake of the good; as the prophets tolerated those against whom they spake so many hard things, and did not forsake the communion of the sacraments used by that people because of them; as our Lord himself tolerated wicked Judas to the last, and permitted him to communicate in the same holy supper with his innocent disciples; as the apostles tolerated those who preached Christ out of envy, which is the devil's sin; and as Cyprian tolerated the covetousness of his fellow bishops, which he himself, according to the apostle, styles idolatry. St. Austin frequently urges this example of Cyprian[53] in other places. And he argues further for the necessity of the practice, from the reason and nature of the thing itself, and from the precepts of the gospel. In his book against Parmenian, he shows at large when excommunication or anathematizing is to be used, and when not. It may be used, when there is no danger of rooting up the wheat together with the tares:[54] that is, when a man's crime is so notorious to all, and appears so execrable to all, that he has no defenders, or not so many or so powerful as to make a schism, then the severity of discipline ought not to sleep; for then it will be effectual to correct his wickedness, when all charitably and unanimously join to confirm the sentence. And then it is that there is no danger hereby of prejudicing peace and unity, or of doing harm to the wheat, when the whole multitude or congregation of the church is free from the crime that is anathematized. For then they will be ready to assist the bishop in his correction, and not the criminal in his resistance. Then they will abstain from his society for his good, and no one will so much as eat with him, not out of enmity, but for brotherly coercion. Then he also will be smitten with fear, and cured by shame, when he sees himself anathematized by the whole church, and can find no company to encourage him to rejoice in his crime, or help him to insult the virtuous. And therefore, he says, the apostle requires, that such a one's punishment or censure should be inflicted of many. For a censure is of no advantage, except when such a one is corrected,

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[52] Aug. lib. ad Donatistas post Collationem, cap. 20. Ubi hoc facere gratia pacis et tranquillitatis ecclesiæ non permittimur, non tamen ideo ecclesiam negligimus, sed toleramus quæ nolumus, ut perveniamus quo volumus, utentes cautela præcepti Dominici, ne cum voluerimus ante tempus colligere zizania, simul eradicemus et triticum: utentes etiam et exemplo et præcepto beati Cypriani, qui collegas suos fœneratores, fraudatores, raptores, pacis contemplatione pertulit tales, nec eorum contagione factus est talis.

[53] Aug. Ep. 48. ad Vincent. p. 66. Non propter malos boni deserendi, sed propter bonos mali tolerandi sunt, &c. Sicut toleravit Cyprianus collegarum avaritiam, quam secundum apostolum appellat idololatriam. See to the same purpose, Aug. de Baptismo, lib. 4. cap. 8. Cont. Epist. Parmen. lib. 3. cap. 2.

[54] Aug. cont. Epist. Parmen. lib. 3. cap. 2. p. 26.

as has not a multitude[55] on his side to uphold him. But when the same disease has seized a multitude, good men in that case can do nothing further but grieve and mourn. And therefore the same apostle, when he found a multitude among the Corinthians, who were defiled with uncleanness and lasciviousness and fornication, writing to them in his Second Epistle, he does not command them, "with such not to eat," as he had done before: for they were many, and he could not now say, "If any brother be a notorious fornicator, or an idolater, or covetous, or the like, with such an one no not to eat:" but he says, "Lest, when I come again, my God will humble me among you, and I shall bewail many who have sinned, and have not repented of the uncleanness and lasciviousness and fornication which they have committed:" threatening them by his bewailing, that they should be punished by the Divine scourge, rather than that punishment which consisted in men's withdrawing from their society. His mourning would obtain of the Lord a scourge to correct them, who could not now by reason of their multitude be corrected in such manner, as that others should abstain from their society, and make them ashamed, as it may be done in the case of a single brother, who is noted for a crime from which all the rest are free. And, indeed, when the contagion of sin has invaded a whole multitude, it is then necessary for God to visit them out of mercy with the severity of his own Divine censure: for in that case exhortations to avoid the company of sinners are not only vain, but pernicious and sacrilegious, because impious and proud, tending more to disturb good men that are weak, than to correct the stubbornness and animosity of the evil. And therefore he observes that St. Paul treated the single incestuous Corinthian, and the multitude that denied the resurrection,[56] in a different way: he did not command the Corinthians to make a corporal separation from them, for they were many, not like that one, who had married his father's wife, whom he judged worthy of a freer censure and excommunication. There was one way to be taken with a single person, another to cure and heal a multitude, lest, if the people were divided from one another by parties, the wheat also should be rooted up by tne mischief of schism. And therefore the apostle does not enjoin those who believed the resurrection, to separate corporally from those who did not believe it in the same people, though he never ceases to separate them spiritually, by frequent admonitions to beware of joining in their impious opinions. He says further, When such evil men are tolerated in the church, good men, who are displeased with them, and know not how to mend them, neither dare[57] to root out the tares before the time of the harvest, for fear they should root up the wheat also, do not communicate with their wicked deeds, but with the altar of Christ: so that they are not only not polluted by them, but deserve Divine praise, because rather than the name of Christ should be blasphemed by horrible schisms, they tolerate for the good of unity what they otherwise hate for the love of equity. This he shows to be a thing praiseworthy from various examples both of the Old and New Testament, and the practice of our Saviour and his apostles, which are too numerous and long to be here inserted. He says more briefly in another espistle,[58] That the wicked do not hurt the good in the church, though they be notoriously evil, if either there be no power to cast them out of communion, or some considerations of preserving peace hinder the doing of it. And again,[59] Although there be some whom we cannot correct, and necessity compels us for the sake of others to allow them to communicate in the Divine sacraments, yet we do not communicate with them in their sins, which is never done but by favouring and consenting to them. For we only tolerate them in the church as tares among the wheat, and as chaff mingled with the corn in this floor of unity, and as bad fish among the good enclosed in the nets of the word and sacraments, till the time of harvest, or winnowing, or drawing to shore comes; lest with them we should root up the wheat; or by separating the corn in the floor before the time, rather expose it to the fowls of the air to devour it, than purge it to be laid up in the garner; or should break the nets by schisms, and by over-abundant caution to cast out the bad fish, should open a

[55] Neque enim potest esse salubris a multis correptio, nisi cum ille corripitur, qui non habet sociam multitudinem. Cum vero idem morbus plurimos occupaverit, nihil aliud bonis restat quam dolor et gemitus.

[56] Aug. lib. ad Donatistas post Collationem, cap. 21. Non eis præcepit corporalem separationem: multi quippe erant, non sicut ille unus, qui uxorem patris sui habuit, quem liberiore correptione et excommunicatione judicat dignum. Longe aliter iste, aliter vitiosa curanda et sananda est multitudo, ne forte si plebs a plebe separetur, per schismatis nefas etiam triticum eradicetur. Eos ergo qui jam credebant resurrectionem mortuorum, ab his qui eam in eodem populo non credebant, non corporaliter apostolus separat, sed tamen spiritaliter separare non cessat.

[57] Aug. Ep. 162. ad Episc. Donatistas, p. 280. Quibus displicent mali, et eos emendare non possunt, neque ante tempus messis audent zizania eradicare, ne simul eradicent et triticum, non factis eorum, sed altari Christi communicant: ita ut non solum non ab eis maculentur, sed etiam Divinis verbis laudari prædicarique mereantur, quoniam ne nomen Christi per horribilia schismata blasphemetur, pro bono unitatis tolerant, quod pro bono æquitatis oderunt.

[58] Ibid. Ep. 164. ad Emeritum. Cognitos malos bonis non obesse in ecclesia, si eos a communione prohibendi aut potestas desit, aut aliqua ratio conservandæ pacis impediat.

[59] Ep. 166. Quos corrigere non valemus, etiamsi necessitas cogit pro salute cæterorum ut Dei sacramenta nobiscum communicent, peccatis tamen eorum non communicamus, quod non fit nisi consentiendo et favendo, &c.

way of pernicious liberty for the rest to return into the sea again. For this reason our Lord made use of these and the like parables to confirm the forbearance of his servants, lest, if the good should think themselves to blame for mingling with the evil, they should either destroy the weak by human and hasty dissensions, or themselves become weak and perish. He pursues the same argument at large in his epistle to Macrobius,[60] and his books against Gaudentius,[61] and many other places: but what I have already produced, abundantly shows his sense of this matter, and not only his sense, but the concurrent opinion and practice of the whole African church, both in the time of Cyprian, and the collation of Carthage, to which he refers. So that upon the whole matter their opinion appears plainly to be this, That when a multitude of sinners in the church made it dangerous to exercise discipline upon them, it was more expedient to endure the bad among the good, rather than by trying to purge them out by the severity of censures, to endanger breaking of the nets, and involve the church in terrible schisms, to the scandal of the weak, and no benefit to the church, whilst together with the tares they rooted up the wheat also. And this practice, in difficult times, is generally allowed to be expedient by modern writers, among whom the learned reader may consult[62] Richerius, Estius and Lyra, Grotius,[63] and Bishop Taylor,[64] and Dr. Whitby,[65] and Rivet;[66] for I know of none but Peter Martyr, who maintains the contrary opinion against St. Austin.[67] But I return to the ancients and their practice.

Sect. 7. The innocent never involved among the guilty in ecclesiastical censures. The original and novelty of popish interdicts.

Where, among other prudent cautions observed in this matter, we may remark their wisdom and piety in managing this spiritual sword, so as it might affect offenders only, and not involve the innocent and guiltless in the same condemnation. That which has been so common and so tyrannical a practice with the popes of later ages, to lay whole churches and nations under interdict, and forbid them the use of all sacraments, for the faults of a single criminal, was so much unknown to the ancients, that St. Austin was amazed, when he heard of a young rash African bishop, who, in his warm zeal, for the single offence of one Classicianus, and that not evidently proved, had anathematized both him and his whole family together. Complaint of the thing being made to St. Austin, he thus writes to the bishop, to expostulate with him upon the fact, in these terms: Being in great concern[68] of mind, and my heart fluctuating as in a tempest within me, I could not but write to your charity, to desire you to inform me, (if you have any certain grounds of reason, or authority of Scripture for your practice,) how a son can rightly be anathematized for his father's sin, or a wife for her husband's, or a servant for his master's; or why a child, that is yet unborn, if he happens to be born in the family while it lies under anathema, may not have the benefit of the laver of regeneration in the article of death? For this is not a corporal punishment, with which we read some despisers of God were slain with their whole families, though the families were not partakers in their crimes. Then indeed mortal bodies, which must otherwise shortly have died, were slain for to strike a terror into the living. But spiritual punishment, of which it is said, "Whatsoever thou shalt bind on earth, shall be bound in heaven," this also binds souls, of whom it is written, "The soul of the father is mine, and the soul of the son is mine: the soul that sinneth, it shall die." For my part, I can give no just reason for such anathemas, and therefore I have never dared to use them, even when I have been most highly provoked by the clamorous crime of some, committed insolently against the church. If God has revealed it unto you, I despise not your youth, but shall be ready to learn, how we can give a just reason either to God or man, for inflicting spiritual punishments upon innocent souls for the sin of another, from whom they derived no original sin, as they do from Adam, in whom all have sinned. But if you can give no good reason for it, why do you that out of an unadvised and precipitate commotion of mind, in defence of which, if any man asks you a reason, you have nothing to answer? From this decent reproof given to the headstrong passion of this young bishop, and his intemperate zeal in anathematizing a whole family for the crime of the master only, we may conclude there was no such allowed practice in the church in St. Austin's time, as excommunicating the innocent with the guilty, though the innocent might have some near relation to, or unavoidable dependence on, the offending parties: much less was it customary then to lay whole bodies, churches or nations, under in-

[60] Aug. Ep. 255.

[61] Cont. Gaudent. lib. 3. cap. 3, 5, 9, &c. It. Ep. 69. ad Restitutum. et Brevic. Collationis, die 3. cap. 8. Vid. Collat. Carth. die 3. n. 258 et 265. et Aug. de Fide et Oper. cap. 4 et 5.

[62] Richer. de Potest. Eccles. in Reb. Temporal. lib. 3. c. 4. n. 7. p. 294. Estius in 2 Cor. x. 6. Lyra, Gloss. in Matt. xii. 29.

[63] Grot. in 2 Cor. x. 6. Neque enim duris remediis locus est, ubi tota ecclesia in morbo cubat

[64] Taylor, Duct. lib. 3. cap. 4. p. 610.

[65] Whitby, Protest. Reconcil. part 2. p. 257.

[66] Rivet. Synops. Pur. Theol. Disp. 48. n. 30.

[67] Pet. Mart. Loc. Com. lib. 5. cap. 5. n. 12. p. 784.

[68] Aug. Ep. 75. ad Auxilium. Non mediocriter æstuans cogitationibus magna cordis tempestate fluctuantibus, apud charitatem tuam tacere non potui: ut si habes de hac re sententiam, certis rationibus vel Scripturarum testimoniis exploratam, nos quoque docere digneris: quomodo recte anathematizetur pro patris peccato filius, &c.

terdict, and forbid them the use of the sacraments, merely to curb or restrain the contumacy of others, of which they were wholly innocent, and no ways partakers. Which was a monstrous and novel abuse of discipline, peculiar to the tyrannical times of the papacy, and utterly unknown to former ages. Baronius[69] indeed brings a single instance of it out of the Annals of France, where it is said, That Pope Agapetus, anno 535, threatened King Clotarius to put his kingdom under interdict, unless he made satisfaction for a barbarous and sacrilegious murder committed by him in the church upon one Gualter de Yvetot, who carried the pope's letters of recommendation to him. But as this story is only told by modern writers, such as Du Haillan, whom Baronius quotes, and Gaguinus, Gillius, and Tillius, added by Spondanus, and has not the authority of any ancient writers; and has something also in the narration itself which destroys its credit with judicious men; Spondanus owns[70] there are many learned men who reject it as a fable, prevailing only by the credulity of the French nation for many ages. And therefore it is not worthy to be mentioned as a piece of ancient history in the case before us.

Some date the original of interdicts from the time of Alexander III. about the year 1160. And indeed about this time they began to be very frequent. Habertus[71] says, Morinus carries them a little higher, to the time of Pope Hildebrand or Gregory VII., who is most likely to be the father of them,[72] for they are sometimes mentioned in his epistles. Habertus himself pretends to make them as ancient as St. Basil. But the place[73] out of Basil's epistles says no more, but that when a whole church make themselves partakers of another man's sins, they may be censured all together. Which is very far from the indiscriminating censure of an interdict, which condemns a whole nation, and that commonly for no crime, but rather their duty, for adhering conscientiously to their natural allegiance due to their lawful sovereigns, when the pope is pleased to excommunicate and depose them under pretence of the plenitude of ecclesiastical power, as any one that would write the history of interdicts might easily demonstrate. Whatever St. Basil meant, it is certain he had not this in his thoughts: neither was it the usual practice of the church to anathematize whole bodies of men, though guilty, unless it was for terror's sake, as has been shown in the foregoing section.

Sect. 8. The danger of excommunicating innocent persons.

As to innocent persons, all care imaginable was taken, that the censures of the church should not be abused by any indiscreet application of them to the condemnation of the guiltless; in which case an unjust sentence was thought to recoil upon the head of him that executed it. Thus Firmilian[74] told Pope Stephen, that in cutting off others who did not deserve it, he cut off himself. Be not deceived; for he is the true schismatic, who makes himself an apostate from the communion of the ecclesiastical unity. For while you think you can excommunicate all others, you only excommunicate yourself from them. In like manner Polycrates, bishop of Ephesus, answered Pope Victor, when he threatened to excommunicate him and all the Asiatic churches for not observing Easter in the same manner as they did at Rome: he was not afraid of his menaces, he told him,[75] for he had learned of those that were greater than he, to obey God rather than man. And Eusebius adds, That when Victor persisted still in this headstrong resolution, Irenæus and several other bishops wrote very sharply to him, *πληκτικώτερον*, reproving him for his unwarrantable abuse of the church censures. It is a noted saying in the Index to the Works of Pope Gregory I.[76] upon this account, If any one excommunicate another unjustly, he does not condemn him, but himself. Though the Romanists commonly magnify another saying of his, transcribed into the canon law,[77] That the sentence of the shepherd is to be dreaded, whether it be just or unjust; which can certainly never be true, but in a very doubtful case. It is much more to the purpose, what Gratian in the same question alleges from St. Austin,[78] That a man had need be very careful whom he binds on earth: for unjust bonds will be loosed by the justice of Heaven; and not only so, but turn to the condemnation of him that imposes them: for though rash judgment often hurts not him who is rashly judged,[79] yet the rashness of him that judges rashly will turn to his own disadvantage. In the mean time it is no detriment to a man, to have his

[69] Baron. an. 535. in Appendice, t. 7. p. 9.
[70] Spondan. Epitom. Baron. an. 535. n. 18.
[71] Habert. Archierat. p. 746.
[72] Greg. 7. lib. 1. Ep. 81. lib. 2. Ep. 5.
[73] Basil. Ep. 242.
[74] Firmil. Ep. 75. ap. Cypr. p. 228. Excidisti teipsum. Noli te fallere. Siquidem ille est vere schismaticus, qui se a communione ecclesiasticæ unitatis apostatam fecerit. Dum enim putas omnes a te abstineri posse, solum te ab omnibus abstinuisti.
[75] Polycrat. Ep. ad Victor. ap. Euseb. lib. 5. c. 24. *Οὐ πτύρομαι ἐπὶ τοῖς καταπλησσομένοις, κ.τ.λ.* Vide Aug. de Vera Religione, cap. 6.
[76] Greg. lib. 2. Ep. 26. Si quis illicite quenquam excommunicat, semetipsum, non illum condemnat.
[77] Greg. Hom. 26. in Evang. ap. Grat. Decret. Caus. 11. Quæst. 3. c. 1. Sententia pastoris, sive justa, sive injusta fuerit, timenda est.
[78] Aug. Ser. 16. de Verbis Domini, ap. Grat. ibid. c. 48. Ut juste alliges, vide. Nam injusta vincula dirumpit justitia.
[79] Aug. de Serm. Dom. in Monte, lib. 2. cap. 29. ap. Grat. ibid. cap. 49. Temerarium judicium plerumque nihil nocet ei, de quo temere judicatur. Ei autem, qui temere judicat, ipsa temeritas necesse est, ut noceat.

name struck out of the diptychs of the church by human ignorance,[80] if an evil conscience do not blot him out of the book of life. Thus far St. Austin, in several places alleged by Gratian, to which may be added what he cites out of the foresaid place of Gregory,[81] That he deprives himself of the power of binding and loosing, who exercises it according to his arbitrary will, and not according to the deserts of those that are under his government. He means, that an excommunication unjustly pronounced, is of no force against one that deserves it not; neither is the absolution of an impenitent sinner any better; because they are both done *clave errante*, by a misapplication of the keys, in which case, as the Gloss upon the Law[82] words it, the party so bound is not bound before God: for it often happens, that by this means a man is excommunicated out of the church militant, who, notwithstanding, is in the church triumphant. And such excommunications, says Cardinal Tolet, bind neither[83] before God nor the church.

Sect. 9.
No one to be excommunicated without being first heard, and allowed to speak for himself.

Now, to prevent this inconvenience, the ancient church prescribed several useful rules to be observed in the matter of excommunication. For, besides that ordinarily no one was to be censured without a previous admonition, as has been noted before,[84] it was likewise ordered, That no man should be condemned in his absence, without being allowed liberty to answer for himself, unless he contumaciously refused to appear. Let ecclesiastical judges beware, says the council of Carthage,[85] that they never pronounce sentence against any one that is absent when his cause is under debate: otherwise the sentence shall be void, and they shall give an account of their action to the synod. Upon this ground St. Austin[86] refutes the censure which the Donatists pretended to pass upon Cecilian, bishop of Carthage, because he was absent, and never examined by them before they proceeded to condemn him.

Sect. 10.
Nor without legal conviction, either by his own confession; or credible evidence of witnesses, against whom there was no exception; or such notoriety of the fact as made a man liable to excommunication *ipso facto*, without any formal denunciation.

Another rule observed in this case was, that no one should be excommunicated unless he stood legally convicted of his crime. Which might be three ways: 1. By his own confession. 2. By the credible evidence of such witnesses as could not justly be excepted against, or suspected of bearing false testimony. 3. By such notoriety of the fact, as made a man liable to excommunication *ipso facto*, without any further process or formal denunciation; as in the case of those that fell by offering sacrifice in time of persecution: here was no need in this case either of their own confession, or conviction by witnesses; for their crime was notorious to all the world, and it needed no formal process or examination of witnesses to condemn them; neither was there any need of a formal sentence of excommunication to be pronounced against them: for they stood excommunicated *ipso facto*, as learned men[87] style it; the fact itself being evident and notorious to all, was sufficient to declare them excommunicate, as having forfeited all right to the privileges of Christian communion. In other cases, where the matter was not so clear, they required either the confession of the party himself, or the legal evidence of unexceptionable witnesses. Thus St. Austin[88] declares: We cannot exclude any one from communion, except he either voluntarily confess his crime himself, or be noted and convicted in some secular or ecclesiastical judgment. For who dare to assume both to himself, to be both accuser and judge? We are not to exclude any man, says Pope Innocent,[89] upon bare suspicions. Where the crime is not evident, says Origen,[90] we can cast no man out of the church, lest, while we root out the tares, we root up the wheat also. And the same reason is given by St. Austin, in the place now cited. Justinian[91] confirmed this rule of the church by a civil sanction, not only forbidding all bishops and presbyters to segregate any man from the communion before his crime was evidently proved against him, but ordering such a one immediately to be restored to communion, and the minister who suspended him to be suspended himself by his supe-

[80] Aug. Ep. 137. Quid obest homini, quod ex illa tabula non vult eum recitari humana ignorantia, si de libro vivorum non eum delet iniqua conscientia? Ap. Grat. ibid. cap. 50.

[81] Greg. Hom. 26. in Evang. ap. Grat. c. 60. Ipse ligandi atque solvendi potestate se privat, qui hanc pro suis voluntatibus, et non pro subjectorum moribus exercet. Vid. Gelasium, ibid. ap. Grat. c. 46.

[82] Gloss. in Extravagant. Joan. 22. Tit. 14. cap. 5. p. 160.

[83] Tolet. Instruct. Sacerdot. lib. 1. cap. 10.

[84] Chap. 2. sect. 6.

[85] Conc. Carth. 4. can. 30. Caveant judices ecclesiastici, ne absente eo, cujus causa ventilatur, sententiam proferant, quia irrita erit, et causam in synodo pro facto dabunt. Vid. plura ap. Gratian. Caus. 3. Quæst. 9.

[86] Aug. Ep. 162. p. 279. Si nec vituperari, nec corripi, nisi interrogatum Spiritus Sanctus voluit, quanto sceleratius non vituperati aut correpti, sed omnino damnati sunt, qui de suis criminibus nihil absentes interrogari potuerunt? It. Serm. 22. de Verbis Apost. Damnatus est Cæcilianus, absens primo, deinde a traditoribus, &c.

[87] Vid. Cave, Prim. Christ. part 3. cap. 5. p. 366.

[88] Aug. Hom. 50. de Pœnitent. t. 10. p. 207. Nos a communione prohibere quenquam non possumus, nisi aut sponte confessum, aut in aliquo sive seculari sive ecclesiastico judicio nominatum atque convictum. Quis enim sibi utrumque audeat assumere, ut cuiquam ipse sit et accusator et judex?

[89] Innoc. Ep. 3. cap. 4. Non facile quisquam ex suspicionibus abstinetur. Probatione cessante, vindictæ ratio conquiescit.

[90] Orig. Hom. 21. in Josue, t. 1. p. 328.

[91] Justin. Novel. 123. c. 11. Omnibus autem episcopis et presbyteris interdicimus, segregare aliquem a sacra communione, antequam causa monstretur propter quam sanctæ regulæ hoc fieri jubent, &c.

rior, *ut quod injuste fecit, juste sustineat*, that he may justly suffer the same punishment which he unjustly inflicted on the other. As therefore they were not to excommunicate a whole multitude, though their crimes were notorious; so neither were they to excommunicate a single criminal, unless his crime could be made evident to the multitude, that they might detest and abhor it: then the severity of discipline was not to sleep,[92] according to St. Austin's rule;[93] If the criminal was accused and also convicted by evident proofs and testimony before the judge, then the judge might proceed against him lawfully, to punish, correct, excommunicate, or degrade him. But otherwise, without such legal conviction, no bishop could suspend a clerk from communion, unless he contumaciously refused to appear to have his cause examined before him. And this, St. Austin says,[94] was determined in council for greater security against arbitrary proceedings. And it is observable in this case, that the canons never allowed[95] the testimony of one single witness as sufficient evidence to convict a criminal; grounding upon that rule in the Divine law, "In the mouth of two or three witnesses shall every word be established." Nay, though it were a bishop or presbyter that accused any man, barely upon his own knowledge, his testimony was not sufficient ground to proceed against him to excommunication. For, as we have heard St. Austin say but just now, no man could be both accuser and judge. And therefore it was provided by the council of Vaison,[96] That though a bishop knew a man to be a criminal, yet if he alone was privy to his crime, and could make no other proof of it, he should not so much as publish it, but deal privately with the man by admonition to bring him to repentance. But if, notwithstanding his admonition, he would persist pertinacious, and offer himself publicly to communicate, the bishop should not have power to excommunicate or cast him wholly out of the church, but only enjoin him to recede for a time out of respect to the bishop's person, whilst he continued in the communion of all those who knew nothing of his offences. And even this was a greater deference paid to the single testimony of a bishop, than was allowed in the African churches. For there, by a rule of the seventh council of Carthage, made in St. Austin's time,[97] if a man confessed his crime to a bishop, and afterwards denied it, the bishop was not to think he had any injury done him, if his single evidence was not taken by his fellow bishops to the man's condemnation; and if in such a case the bishop presumed to excommunicate him, upon a scruple of conscience that he could not communicate with such a one, the bishop himself was not to communicate with other bishops, that he might learn to be more cautious in saying that against any man, which he could not prove by any other evidence but his own testimony: so tender were these holy bishops of condemning any man without sufficient and legal evidence to convict him. St. Austin, who was present in this council, tells a remarkable story of a case of this nature,[98] that happened between Boniface, one of his presbyters, and a man that was accused by him. Having no sufficient evidence, but only their single testimony on either side, he would not determine the matter between them, but ordered them both to go to the sepulchre of Felix the martyr, in hopes that the cause might be decided by some apparent miracle and Divine judgment, where human judgment could not determine it, as he says he had known it done in a case of theft at Milan. He adds, that both the ecclesiastical and civil law forbade the condemning any man upon the evidence of a single witness, as insufficient to convict him. The ecclesiastical law we have already heard; and for the civil law, it is probable he refers to a decree of Constantine now extant in the Theodosian Code,[99] which precisely enjoins all judges not to determine any cause upon the evidence of a single witness, though it were even a senator that was the deponent. Which Gothofred compares

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[92] Aug. cont. Epist. Parmen. lib. 3. cap. 2. Quando cujusque crimen notum est omnibus, et omnibus execrabile apparet—non dormiat severitas disciplinæ.

[93] Aug. Ser. 24. de Verbis Apost. ap. Gratian. Caus. 23. Quæst. 4. cap. 11. Si judicandi potestatem accepisti, ecclesiastica regula, si apud te accusatur, si veris documentis testibusque convincitur, coerce, corripe, excommunica, degrada.

[94] Aug. Ep. 137. In episcoporum concilio constitutum est, nullum clericum, qui nondum convictus est, suspendi a communione debere, nisi ad causam suam examinandam se non præsentaverit.

[95] Vid. Can. Apost. 74. Conc. Ilerdense, ap. Crab. ex Ivone, lib. 5.

[96] Conc. Vasens. 1. can. 8. Si tantum episcopus alieni sceleris se conscium novit, quamdiu probare non potest, nihil proferat, sed cum ipso ad compunctionem ejus secretis correptionibus elaboret. Quod si correptus pertinacior fuerit, et se communioni publice ingesserit, etiam si episcopus in redarguendo illo, quem reum judicat, probatione deficiat, indemnatus licet ab his qui nihil sciunt, secedere ad tempus pro persona majoris auctoritatis jubeatur, illo, quamdiu probari nihil potest, in communione omnium, præterquam ejus qui eum reum judicat, permanente.

[97] Conc. Carth. 7. can. 5. Placuit, ut si quando episcopus dicit, aliquem sibi soli proprium crimen fuisse confessum, atque ille neget: non putet ad injuriam suam episcopus pertinere, quod ipsi soli non creditur: et si scrupulo propriæ conscientiæ se dicit neganti nolle communicare, quamdiu excommunicato non communicaverit suus episcopus, eidem episcopo ab aliis non communicetur episcopis, ut magis caveat episcopus, ne dicat in quenquam quod aliis documentis convincere non potest. Vid. Cod. Afric. can. 133 et 134. et Aug. Hom. 16. de Verbis Dom.

[98] Aug. Ep. 137.

[99] Cod. Theod. lib. 11. Tit. 29. de Fide Testium, Leg. 3. Manifeste sancimus, ut unius omnino testis responsio non audiatur, etiam si præclaræ curiæ honore præfulgeat.

to a noted saying among the old Romans, related by Plutarch, That it was not right to give credit to one witness, though it were Cato himself that gave testimony. Whence Gothofred also, with great reason, concludes,[100] that the law which goes under the name of Constantine, at the end of the Theodosian Code, allowing the single testimony of a bishop to be good evidence, is a spurious law, (though it be inserted into the Capitular[101] of Charles the Great, and Gratian's decree,) because it contradicts all other laws, both ecclesiastical and civil, upon this subject.

It is worth observing further, that to secure the innocence of virtuous men from being unjustly traduced and censured, there were many laws forbidding the testimony of heretics, or other suspected and infamous persons, to be accepted in judgment; of which, because I have had occasion to discourse[102] elsewhere, I say no more in this place. But from all that has now been said, it sufficiently appears, that though the ancients were very strict and severe in their discipline, yet they were equally cautious, that the severity of it should not affect the innocent; and every man was presumed to be innocent, till a just and legal proof could be made against him: nor was this a harm to the church, it being better that some vicious men should escape, than that virtuous men should be exposed to the greatest of all punishments upon bare suspicion, or the arbitrary pleasure of any one man; for which reason also, as I have often noted, the church still allowed an appeal from the unjust sentence of any bishop to the re-examination of a provincial council.

Sect. 11. Excommunication not ordinarily inflicted upon minors, or children under age.

Another sort of persons whom the censures of the church seldom or never touched, were minors, or children under age; there being more proper punishments thought fit for them, such as fatherly rebukes and corporeal correction; and to inflict the highest censures upon such, was rather thought a lessening of authority, and bringing contempt upon the discipline of the church. Therefore Socrates observes of Arsenius, the Egyptian abbot, that he was never used to excommunicate any junior monks, but only those that had made a greater proficiency; for a young man,[103] when he is excommunicated, only becomes a despiser. Palladius observes the same of the discipline of the great church of Mount Nitria,[104] that they had three whips hanged up in the church, one for chastising the offending monks, another for robbers, and a third for strangers that came accidentally, and behaved themselves disorderly among them. So in the Rule of Isidore of Sevil, one article[105] is, That they who were in their minority should not be punished with excommunication, but, according to the quality of their negligence or offence, be corrected with congruous stripes. The late author of the Historia Flagellantium[106] cites the Rule of Macarius,[107] and that of St. Benedict,[108] and Aurelian,[109] and Gregory the Great, to the same[110] purpose. And Cyprian, in the Life of Cæsarius Arelatensis, says, That bishop observed this method both with slaves and freemen, that when they were to be scourged for their faults, they should suffer forty stripes save one, according as the law appointed. The council of Agde[111] orders the same punishment, not only for junior monks, but also for the inferior clergy. And the council of Mascon[112] particularly insists upon the number of forty stripes save one. The council of Vannes[113] repeats the canon of Agde. And the council of Epone speaks[114] of stripes, as the peculiar punishment of the minor clergy, for the same crimes that were punished with excommunication for a whole year in the superior clergy. Nor is this to be wondered at in these councils, since St. Austin[115] assures us this kind of punishment by stripes was commonly used, not only by schoolmasters and parents, but by bishops in their consistories also. And the plain reason of all this seems to be, not so much the distinction of crimes, as the distinction of age and quality in the persons.

Sect. 12. How persons were sometimes excommunicated after death.

Another inquiry may be made concerning persons deceased, whether ever any excommunication was inflicted on men after death, if they died in the peace and communion of the church? It has already been observed,[116] that when men died impenitent under the bonds of excommunication unrelaxed, a necessary consequence of that was the denying them Christian burial, and all

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[100] Gothofred. in Cod. Theod. lib. 11. Tit. 39. Leg. 3. et lib. 16. Tit. 12. Leg. 1. p. 306.

[101] Capitular. lib. 6. cap. 281. Grat. Caus. 11. Quæst. 1. cap. 36.

[102] Book V. chap. 1. sect. 5.

[103] Socrat. lib. 4. cap. 23. Νέος ἀφορισθεὶς καταφρονητὴς γίνεται.

[104] Pallad. Hist. Lausiaca, cap. 6.

[105] Isidor. Regula, cap. 17. In minori ætate constituti non sunt coercendi sententia excommunicationis, sed pro qualitate negligentiæ congruis emendandi sunt plagis.

[106] Hist. Flagellant. cap. 5 et 6.

[107] Macar. Regula, cap. 15.

[108] Benedict. Reg. cap. 70.

[109] Aurelian. Reg. c. 41.

[110] Greg. lib. 9. Ep. 66.

[111] Conc. Agathen. can. 38. Si verborum increpatio non emendaverit, etiam verberibus statuimus coerceri. It. can. 41.

[112] Conc. Matiscon. 1. can. 5. Si junior fuerit, uno minus de quadraginta ictus accipiat.

[113] Conc. Veneticum, can. 6.

[114] Conc. Epaunens. can. 15. Minores clerici vapulabunt.

[115] Aug. Ep. 159. ad Marcellin. Qui modus coercitionis et a magistris artium liberalium, et ab ipsis parentibus, et sæpe etiam in judiciis solet ab episcopis adhiberi. Vid. Aug. Serm. 215. de Tempore. Si ad vos pertinent, etiam flagellis cædite, &c.

[116] Chap. 2. sect. 11.

future memorial in the prayers and oblations of the church, by striking their names out of the diptychs, or holy books, which kept the memorial of such as died in the peace and communion of the church. But the question here is not about those that died so excommunicate, but those that died in the visible communion and external peace of the church, and under no ecclesiastical censure; whether upon any new discovery of their errors or crimes after death, they were liable to be excommunicated, and after what manner that censure was passed upon them. Now, the resolution of this question in part, will easily be given from a famous case in Cyprian, concerning one Geminius Victor, who, contrary to the rule of a council, had made Geminius Faustinus a guardian, or trustee, by his last will and testament; for which transgression Cyprian, after his death, wrote to the church of Furni, where he had lived, to put the sentence of the council in execution against him, telling them, That since Victor[117] had presumed, against the rule made in council, to appoint Geminius Faustinus, one of the presbyters of the church, his trustee, for this offence no oblation ought to be made for his death, nor any prayer to be offered in his name in the church, according to the custom of praying then for all that were departed in the faith. This was a plain excommunication of him after death, by erasing his name out of the diptychs of the church. Such another decree we find in the African Code against any bishop that should make heretics or heathens his heirs, whether they were of his own kindred or not: Let such a one[118] be anathematized after death, and let not his name be written or recited among the priests of God. With this agrees what St. Austin says more than once concerning Cecilian, bishop of Carthage, That if the things which the Donatists objected against him were true, and they could evidently prove them, the catholics[119] were ready to anathematize him after death. And there want not in fact several instances of this practice. For thus Origen, as Socrates says,[120] was excommunicated two hundred years after his death by Theophilus, bishop of Alexandria. And Theodorus of Mopsuestia was so anathematized by the fifth general council,[121] as appears from Evagrius, and the letters of Justinian, and the acts of the council. In like manner, the sixth general council[122] anathematized Pope Honorius as a Monothelite after death, together with Cyrus, bishop of Alexandria, and Theodorus, bishop of Pharan, and Sergius, Pyrrhus, Petrus, and Paulus, bishops of Constantinople, all whose names were erased out of the sacred diptychs after death by the order of that council. It is a grand dispute indeed among the gentlemen of the church of Rome, whether the name of their pope Honorius ought to stand in that black list? (Baronius[123] affirming, That the acts of the council, where his name is inserted, are corrupted; and Combefis,[124] on the other hand, writing a whole volume against Baronius to prove them genuine:) but however that matter be, there is no dispute about all the rest, but that they were certainly anathematized by that council after death. Sometimes men were unjustly excommunicated either living or dead; and then the way to restore them to the communion of the church, was to insert their names into the diptychs whence they had been expunged before. Thus Theodoret[125] says, Atticus restored the name of Chrysostom, after it had for many years been left out. And John, bishop of Constantinople, in a synod, anno 518, restored the names of Pope Leo, and Euphemius, and Macedonius, and the council of Chalcedon, which, by the fraud of Anastasius the emperor, who was an Eutychian heretic, had all been cast out of the diptychs of the church.[126] This was the method, both of condemning and restoring men to the communion of the church after death. To deny them Christian burial, or not to receive their oblations, or to erase their names out of the diptychs, was the same thing as to declare them anathematized, and cast out of the communion of the faithful, with whom the church maintained communion after death. And so far we have considered the persons that might or might not be the subjects of ecclesiastical censures, whether living or dead.

Sect. 13. The censures of the church not to be inflicted for small offences.

The next inquiry is concerning the crimes for which these censures might be inflicted. And here the canons are wont to make a very exact and nice distinction in general between the greater and lesser sins, the former only being such as were regarded in the business of excommunication. For this being the severest of all punishments, was not to be inflicted for every trifle. Therefore bishops,

[117] Cypr. Ep. 66. al. 1. ad Cler. Furnitan. p. 3. Ideo Victor, cum contra formam nuper in concilio a sacerdotibus datam, Geminium Faustinum presbyterum ausus sit tutorem constituere, non est quod pro dormitione ejus apud vos fiat oblatio, aut deprecatio aliqua nomine ejus in ecclesia frequentetur.

[118] Cod. Afric. can. 81. Μετὰ θάνατον ἀνάθεμα τοιούτῳ λεχθείη, κ.τ.λ.

[119] Aug. Ep. 50. ad Bonifac. Comitem, p. 80. Si vera essent quæ ab eis objecta sunt Cæciliano, et nobis possent aliquando monstrari, ipsum jam mortuum anathematizaremus. It. Ep. 152. quæ est Epistola Synodica Concilii Cirtensis ad Donatistas. Si forte malus esset inventus, ipsum anathematizaremus.

[120] Socrat. lib. 7. cap. 45.

[121] Evagr. lib. 4. cap. 38. Justin. Epist. in Act. 1. Conc. 5. General.

[122] Conc. Constant. 6. Gen. Act. 13.

[123] Baron. an. 680. n. 34.

[124] Combefis, Hist. Monothelitar. Par. 1648.

[125] Theod. lib. 5. cap. 34.

[126] Vid. Acta Conc. Const. in Act. 5. Conc. sub Menna

says the council of Agde,[127] must have a great regard to sacerdotal moderation, and not presume to excommunicate either the innocent, or those that are guilty only of small offences. Otherwise they are liable to be admonished by the neighbouring bishops of the province; and if they obey not, the bishops of the province are to refuse them their communion till the next synod. Some copies read it, They shall not be denied communion till the next synod; and then it refers to the persons excommunicated, that though they were rashly cast out of the church for slight causes by their own bishops, the rest of the bishops should not deny them communion, till their cause was heard in a synod. The fifth council of Orleans has a like order, That no bishop shall[128] suspend any of the faithful from the communion for little and slight causes, but only for those crimes for which the ancient fathers command offenders to be cast out of the church. And this is repeated in the council of Arvern or Clermont,[129] held about the same time, anno 549.

Sect. 14. What the ancients meant by small offences in this matter, and how they distinguished them from the greater.

But it may be asked, what the ancient fathers meant by slight causes and small offences in this business of ecclesiastical censure? and how they distinguished these from those greater crimes, which made men liable to excommunication, and public penance in the church? The right understanding of these things will be of great use, not only to give us a clear view of the nature of ecclesiastical discipline, but also to show the vanity of a late distinction between mortal and venial sin, as used by the Romanists, to bring all sins that are mortal under the necessity of auricular confession, and private absolution. Now, it is certain the ancients did not believe any sins to be venial, as that signifies needing no pardon, but in that sense all sins to be mortal in their own nature, and such as we have need to ask pardon for at the hands of God. But because there are some sins of human frailty and inadvertency in the best of men, and sins of daily incursion, without which no man lives; these they usually call venial sins, as needing no other repentance, but a general confession; nor any other pardon, but what is daily granted by God to good men, upon their daily prayers and acknowledgment of their offences. Besides these, there are other sins of wilfulness, and of a more malignant nature, which if continued in, without a particular repentance and reformation, will prove mortal, and exclude men from the kingdom of heaven; and yet many of these were such, as did not ordinarily bring men under the highest censures of the church, but were to be cured only by general reproofs and exhortations to repentance. These also in like manner, with respect to the severity of church discipline, which did not reach them, were sometimes termed lesser and venial sins, in opposition to those yet more heinous sins, which brought men under excommunication and public penance to make expiation and atonement for them. These sins were mortal in their own nature, and fatal in the effect to the sinner; but yet the church for many reasons was obliged sometimes to let them pass, without any other censure than a pastoral admonition. But there was a third sort of sins, both of a malignant, and public, and flagrant nature, of which sinners might easily be impleaded and convicted; and these were those great sins, (as they are usually termed in opposition to both the forementioned kinds,) on which the highest severities of church discipline were exercised, unless where the multitude of sinners, or their abettors, or the danger of schism, (as has been noted before,) made the thing impracticable and unfeasible. This threefold distinction of sins is accurately noted by St. Austin in his book of Faith and Works: he says, There are some sins so great, as to deserve to be punished with excommunication,[130] according to that of the apostle, "To deliver such an one unto Satan for the destruction of the flesh, that the spirit may be saved in the day of the Lord." Again, there are other sins, which are not to be cured by that humiliation of penance, which is imposed upon those who are properly called penitents in the church, but by certain medicines of reproof, according to that of our Lord, "Tell him of his fault between him and thee alone; if he hear thee, thou hast gained thy brother." Lastly, there are other sins, for which he hath left us a daily cure in that prayer, wherein he hath taught us to say, "Forgive us our trespasses, as we forgive them that trespass against us." By this it is plain, that all great and deadly sins did not bring men under the public cen-

127 Conc. Agathen. cap. 3. Episcopi, si sacerdotali moderatione postposita, innocentes, aut minimis causis culpabiles, excommunicare præsumpserint,——a vicinis episcopis cujuslibet provinciæ literis moneantur. Et si parere noluerint, communio illis usque ad tempus synodi a reliquis episcopis denegetur, al. non denegetur. See Gratian. Caus. 11. Quæst. 3. cap. 8. where this canon is cited, and what the Roman correctors observe of this various reading.

128 Conc. Aurel. 5. can. 2. Nullus sacerdotum quenquam rectæ fidei hominem pro parvis et levibus causis a communione suspendat; præter eas culpas, pro quibus antiqui patres arceri ab ecclesia jusserunt committentes.

129 Conc. Arvernens. 2. can. 2. Conc. t. 5. p. 402.

130 Aug. de Fide et Operibus, cap. 26. Nisi essent quædam ita gravia, ut etiam excommunicatione plectenda sint, non diceret apostolus: Congregatis vobis et meo spiritu, tradere ejusmodi hominem Satanæ, &c. Item nisi essent quædam non ea humilitate pœnitentiæ sananda, qualis in ecclesia datur eis qui proprie pœnitentes vocantur, sed quibusdam correptionum medicamentis, non diceret ipse Dominus, Corripe inter te et ipsum solum, &c. Postremo, nisi essent quædam, sine quibus hæc vita non agitur, non quotidianam medelam poneret in oratione quam docuit, ut dicamus, Dimitte nobis debita nostra, &c.

sure of excommunication, but only those of the first kind, which were of the highest nature. In other places he distinguishes sins only into two kinds, greater and lesser; sins that obliged men to do public penance, and sins that were pardoned by daily prayer, weeping, fasting, giving, and forgiving, without any obligation to do public penance for them. The former he calls mortal sins, and the other venial; not because they were not mortal in their own nature, but because they were pardoned without the solemnity of a public repentance. So many great sins, such as anger, and evil thoughts, and evil speaking, and excess in the use of lawful things, are reckoned by him in the number of lesser sins, in comparison of such great and deadly sins, as murder, and theft, and adultery. He that is free, says he,[131] from great and mortal sins, such as the crimes of murder, theft, and adultery, yet being liable to many lesser sins of the tongue and thoughts, and immoderate use of lawful things, he thereupon exercises himself in making true confession of them, and comes to the light by performing good works; because a multitude of lesser sins, if they be neglected, kill the soul. Many small drops fill a river: a grain of sand is but a small thing, but many grains added together will load and oppress us. The pump of a ship, if it be neglected, will do the same thing as a boisterous wave. It enters by little and little at the pump, but by long entering, and never draining, at last it sinks the ship. And what is it to drain the soul, but by good works, such as mourning, and fasting, and giving, and forgiving, to take care that such sins do not overwhelm the soul? The lesser sins, he here speaks of, were not only sins of inadvertency and common human frailty, but sins of a higher nature: and yet he calls them little sins in comparison of those great and deadly sins of adultery and murder, for which men underwent public penance, which they did not for these other sins, which yet would prove fatal, unless men took care by confession, and godly sorrow, and fasting, and almsdeeds, and charity to their enemies, to clear themselves of them. In another place,[132] he speaks of two sorts of repentance for two sorts of sins committed after baptism, which he thus distinguishes: There is one sort of repentance which is to be performed every day. And whence can we show that? I cannot better show it than from the daily prayer, where our Lord hath taught us to pray, and showed us what we are to say unto the Father in these words, "Forgive us our trespasses, as we forgive them that trespass against us." There is another more weighty and mournful sort of repentance, from which men are properly called penitents in the church: by which they are sequestered from partaking of the sacrament of the altar, lest they should eat and drink damnation to themselves. This is a grievous repentance; the wound is very grievous, perhaps adultery, or murder, or sacrilege has been committed. This is a grievous thing, a grievous wound, mortal and deadly, but the Physician is almighty. Here, again, is a plain distinction between such great sins as adultery, sacrilege, and murder, for which men were to do a long and public penance in the church; and such sins of a lower rank, as were to be done away by daily prayer and daily repentance, which was the remedy for all sins, great and small, that were not of the highest nature. Upon this account he calls public penance by the mame of *pœnitentia major*, the greater repentance, for great and deadly sins, in opposition to the lesser or daily repentance for sins of a lower nature, which he terms venial sins, because they were more easily pardoned by that ordinary and daily repentance. Thus in his instructions to the catechumens, directing them how to lead their lives after baptism, he tells them,[133] He did not prescribe them an impossible rule, to live here altogether free from sin; for there were some lesser or more pardonable sins, without which this life is not passed by any. Baptism was appointed for the remission of all sins, of what kind soever; but for lesser sins prayer was appointed. And what says the prayer?

[131] Aug. Tract. 12. in Joan. p. 47. Liberatus ab illis lethalibus et grandibus peccatis, qualia sunt facinora, homicidia, furta, adulteria, propter illa quæ minuta esse peccata videntur linguæ, cogitationum, aut immoderationis in rebus concessis, facit veritatem confessionis, et venit ad lucem in operibus bonis: quoniam minuta plura peccata, si negligantur, occidunt, &c.

[132] Ibid. Hom. 27. ex 50. t. 10. p. 177. Est alia pœnitentia quotidiana. Et ubi illam ostendimus? non habeo ubi melius ostendam, quam in oratione quotidiana, ubi Dominus orare nos docuit.—Est et pœnitentia gravior atque luctuosior, in qua proprie vocantur in ecclesia pœnitentes: etiam remoti a sacramento altaris participandi, ne accipiendo indigne, judicium sibi manducent et bibant. Illa vero pœnitentia luctuosa est, grave vulnus est: adulterium forte commissum est, forte homicidium, forte sacrilegium. Gravis res, grave vulnus, lethale, mortiferum, sed omnipotens Medicus, &c. Vid. Hom. 50. ibid. cap. 3.

[133] Ibid. de Symbolo ad Catechumenos, lib. 1. cap. 7. t. 9. Non vobis dico, quia sine peccato hic vivetis: sed sunt venialia, sine quibus vita ista non est. Propter omnia peccata baptismus inventus est: propter levia, sine quibus esse non possumus, oratio inventa. Quid habet oratio? Dimitte nobis debita nostra, sicut et nos dimittimus debitoribus nostris. Semel abluimur baptismate. Quotidie abluimur oratione. Sed nolite illa committere, pro quibus necesse est ut a Christi corpore separemini; quod absit a vobis. Illi enim, quos videtis agere pœnitentiam, scelera commiserunt, aut adulteria, aut aliqua facta immania: inde agunt pœnitentiam. Nam si levia peccata eorum essent, ad hæc quotidiana oratio delenda sufficeret. Ergo tribus modis dimittuntur peccata in ecclesia, in baptismate, in oratione, in humilitate majoris pœnitentiæ. Vid. Aug. Hom. 119. de Tempore, cap. 8. Ep. 89. ad Hilarium, Quæst. 1. Ep. 108. ad Seleucianam.

"Forgive us our trespasses, as we forgive them that trespass against us." We are once washed, or cleansed from sin by baptism; we are daily cleansed by prayer. Only do not commit such things, for which it will be necessary to separate you from the body of Christ, which God forbid. For they whom you see doing penance, have committed great crimes, either adultery, or some such heinous wickedness, upon account of which they are doing penance. For if they had been light sins, the daily prayer would have been sufficient to blot them out. Therefore there are three ways by which sins are forgiven in the church, by baptism, by prayer, and by the humiliation of the greater repentance. Where by the greater repentance, it is evident, he means the public penance done in the church for crimes only of the highest nature: and therefore the lesser repentance, accompanying men's daily prayers, was sufficient to blot out both lesser sins of daily incursion, and also greater sins, for which no public penance was required, but only the sincere reformation of the sinner, producing good works, and especially works of charity and mercy. Thus in his Enchiridion,[134] For daily short and light sins, without which no man lives, the daily prayer of the faithful is sufficient. This prayer blots out all little and daily sins. It blots out all those sins with which the life of the faithful is more egregiously defiled, provided they change it into better by true repentance; if they say truly, with actions corresponding to their words, "Forgive us our trespasses, as we forgive them that trespass against us." He often distinguishes[135] between *peccatum* and *crimen*, making the first to be such sins as are forgiven by daily prayer and daily repentance; and the second such flagrant crimes as murder, adultery, fornication, theft, fraud, sacrilege, and such like, for which men were obliged to undergo public penance in the church. And he understands the same things, when he so often distinguishes[136] between greater and lesser sins, mortal sins and venial sins; prescribing public repentance for the one, and private repentance for the other. By all which it is manifest, that neither sins of human frailty and daily incursion, to which the best of men are liable; nor many sins of a more malignant nature, as many evil words, and evil thoughts, and excesses in the use of lawful things, and hasty anger, and frequent going to law for trifles, were reckoned into the number of those flagrant crimes, for which the severities of church discipline were inflicted on delinquents; but all such sins, being of an inferior nature, or not so easy to be proved upon men, were only matters of reproof, and left to their own consciences to cure, either by daily prayer, or private repentance and reformation.

And that this was so from the beginning, appears from what the learned Du Pin has discoursed upon this matter[137] against Mr. Arnaud and others of his own communion. He observes, that all the ancients made this very distinction between great and little sins, and reckoned only very capital and mortal crimes in the number of such sins as were to be punished with excommunication. Tertullian, even when he disputes against the church upon the point of absolution and readmission of excommunicated sinners into the church again, owns notwithstanding that there were many sins, which did not bring men under the censure of excommunication, because they were sins of daily incursion, to which all men were more or less exposed. Among these[138] he reckons anger, when it is unjust either in its cause or duration, when the sun goes down upon our wrath; and also quarrelling and evil-speaking, a rash or vain oath, a failure in our promise, a lie extorted by modesty or necessity, and many such temptations which befall men in their business and offices, in gain, in eating, and seeing, and hearing. On the contrary, there are some more grievous and deadly sins, which are incapable of pardon, (according to his rigid principles of Montanism,) such as murder, idolatry, fraud, apostacy, blasphemy, adultery, and fornication, and other such defilements of the temple of God. In his book

[134] Aug. Enchirid. cap. 71. De quotidianis, brevibus levibusque peccatis, sine quibus hæc vita non ducitur, quotidiana oratio fidelium satisfacit.—Delet omnino hæc oratio minima et quotidiana peccata. Delet et illa, a quibus vita fidelium scelerate etiam gesta, sed pœnitendo in melius mutata discedit, &c.

[135] Aug. Hom. 41. ex 50. Homo baptizatus, si vitam, non audeo dicere sine peccato (quis enim sine peccato?) sed vitam sine crimine duxerit, et alia habet peccata, quæ quotidie dimittuntur in oratione dicente, Dimitte nobis debita nostra, &c. quando diem finierit, vita non finit, sed transit de vita in vitam.

It. Tract. 41. in Joan. t. 9. p. 126. Apostolus quando elegit ordinandos—non ait, si quis sine peccato est; hoc enim si diceret, omnis homo reprobaretur, nullus ordinaretur; sed ait, si quis sine crimine est, sicut est homicidium, adulterium, aliqua immunditia fornicationis, furtum, fraus, sacrilegium, et cætera hujusmodi. He says a little before, Crimen est peccatum grave, accusatione et damnatione dignissimum.

De Civ. Dei, lib. 21. cap. 27. Non putare nos esse sine peccatis, etiamsi a criminibus essemus immunes.

[136] Aug. Tract. 26. in Joan. p. 93. De Symbolo, lib. 1. cap. 7. Cont. Julian. Pelagian. lib. 2. cap. 10.

[137] Du Pin, Bibliotheque, Cent. 4. p. 218.

[138] Tertul. de Pudicit. cap. 19. Sunt quædam delicta quotidianæ incursionis, quibus omnes simus objecti. Cui enim non accidet aut irasci inique, et ultra solis occasum, aut et manum immittere, aut facile maledicere, aut temere jurare, aut fidem pacti destruere, aut verecundia aut necessitate mentiri; in negotiis, in officiis, in quæstu, in victu, in visu, in auditu quanta tentamur.—Sunt autem et contraria istis, ut graviora et exitiosa, quæ veniam non capiant, homicidium, idololatria, fraus, negatio, blasphemia, utique et mœchia et fornicatio, et si qua alia violatio templi Dei.

against Marcion, he precisely reckons up seven sins, which he distinguishes by the names of capital crimes,[139] idolatry, blasphemy, murder, adultery, fornication, false witness, and fraud. The Roman clergy observe the same distinction between greater and lesser sins, when they, in their epistle[140] to Cyprian, style idolatry the great sin, and the grand sin above all others. And Cyprian[141] himself calls it *summum delictum*, the highest of all crimes, the blasphemy against the Holy Ghost, which has never forgiveness, but makes a man guilty of eternal sin; that is, a sin that was to be punished in both worlds, without repentance. Which is the notion that most of the ancients had of the sin against the Holy Ghost, (to note this by the way,) not that it was absolutely unpardonable,[142] but that men were to be punished for it, both in this world and the next, unless they truly repented of it. Again, Cyprian, speaking of idolatry in those that lapsed in persecution, he[143] distinguishes it by the title of the most heinous and extreme offence. And speaking also of adultery, fraud, and murder, he calls them[144] mortal sins, by way of distinction from those of a lower kind. So Origen calls some great and mortal sins, such as blasphemy, for which the church[145] very rarely allowed men to do penance above once; but there are other common sins of daily incursion, such as evil words, and other corruptions of good manners, which admit of frequent repentance, and are redeemed continually without intermission. Where he plainly shows, that the repentance which the church allowed but once for great sins, means public penance in the church; but lesser and common offences were atoned for another way, and as often as they were committed, by a daily repentance. In another[146] place, he reckons up lesser sins, to which all are more or less subject, such as detraction, and mutual defamation of one another, self-conceit, banqueting, lying, idle words, and such other light faults, as are frequently found in men who have made a good proficiency in the church. These, therefore, could not be the sins which ordinarily subjected men to excommunication, unless we could suppose all men liable to so severe a censure. But there were other crimes, which he calls great sins, and sins unto death; such as adultery, murder, effeminacy, and defilement with mankind, which whoever committed, he was to be treated as a heathen man or a publican. St. Ambrose makes the same distinction of sins: As there is but one baptism, so there is but one public[147] penance; for we are to do penance for the sins we commit every day; but this last penance is for small sins, and the former for great ones. And so Prosper, or Julianus Pomerius under his name,[148] says, There are some sins so small, that we cannot perfectly avoid them, and for the expiation of these we cry daily to God, and say, "Forgive us our trespasses, as we forgive them that trespass against us:" but there are other sins which ought more carefully to be avoided, because when men are publicly convicted of them, they make them liable to be punished by human judgment; meaning, that such capital offences were the crimes which subjected men to excommunication, and not those lesser faults, which were only matter of daily repentance. Cassian observes seven kinds of human failings, which he distinguishes from mortal sins: saying,[149] It is one thing to commit mortal sin, and another to be overtaken with an evil thought, or to offend by ignorance, or forgetfulness, or an idle word, which easily slips from us, or by a short hesitation in some point of faith, or the subtle ticklings of vain-glory, or by necessity of nature to fall short of perfection. For these seven ways a holy man is liable to fall; and yet he does not cease to be righteous: and though they seem to be but small sins, yet they are enough to prove that he cannot be without sin; for he has, upon this account, need of a daily repentance, and

[139] Tertul. cont. Marcion. lib. 4. cap. 9. Septem maculis capitalium delictorum, idololatria, blasphemia, homicidio, adulterio, stupro, falso testimonio, fraude.

[140] Ap. Cypr. Ep. 26. al. 31. p. 63. Grande delictum. Ingens et supra omnia peccatum.

[141] Cypr. Ep. 10. al. 16. p. 36. Summum delictum esse quod persecutio committi coegit, sciunt ipsi etiam qui commiserunt, cum dixerit Dominus, qui blasphemaverit Spiritum Sanctum, non habebit remissam, sed reus est æterni peccati.

[142] See chap. 7. sect. 3.

[143] Cypr. Ep. 11. al. 15. ad Martyr. p. 34. Gravissimum atque extremum delictum.

[144] Cypr. de Patient. p. 216. Adulterium, fraus, homicidium, mortale crimen est.

[145] Orig. Hom. 15. in Levit. t. i. p. 174. Si nos aliqua culpa moralis invenerit, quæ non in crimine mortali, non in blasphemia fidei, sed vel in sermonibus, vel in morum vitio——hujusmodi culpa semper reparari potest. In gravioribus enim culpis semel tantum vel raro pœnitentiæ conceditur locus: ista vero communia, quæ frequenter incurrimus, semper pœnitentiam recipiunt, et sine intermissione redimuntur.

[146] Ibid. Tract. 6. in Mat. p. 60. Nec enim existimo cito aliquem inveniri in ecclesia, qui non jam ter in eadem culpa argutus sit, utpute in detractione, qua invicem homines detrahunt proximis suis, aut inflatione, aut in epulatione, aut in verbo mendacii vel ocioso, aut in tali aliqua culpa levi, quæ etiam in illis qui videntur proficere in ecclesia, frequenter inveniuntur.

[147] Ambr. de Pœnit. lib. 2. cap. 10. Sicut unum baptisma, ita una pœnitentia, quæ tamen publice agitur. Nam quotidiani nos debet pœnitere peccati: sed hæc delictorum leviorum, illa graviorum.

[148] Prosper. de Vit. Contemplat. lib. 2. cap. 7. Exceptis peccatis, quæ tam parva sunt ut caveri non possint, pro quibus expiandis quotidie clamamus ad Deum, et dicimus, Dimitte, &c., illa crimina caveantur, quæ publicata suos autores humano faciunt damnari judicio.

[149] Cassian. Collat. 22. cap. 13. Aliud est admittere mortale peccatum, et aliud est cogitatione quæ peccato non caret præveniri, vel ignorantiæ aut oblivionis errore, aut facilitate ociosi sermonis offendere, &c.

is obliged in truth without any dissimulation to ask pardon, and pray continually for his sins, saying, "Forgive us our trespasses." Gregory Nyssen has a canonical epistle concerning discipline, wherein, as Du Pin observes, he makes an exact enumeration of those sins which subjected men to public penance, which are all enormous sins and considerable crimes, such as idolatry, apostacy, divination, murder, adultery, theft, and sacrilege. From all which it is very evident, that by the ancient rules no crimes were to be punished with excommunication, but those that were of the highest nature, which they called mortal sins; nor yet all remote violations of the moral law, but only the more immediate, direct, and professed transgressions of it. Of the species and effects of anger, as Gregory Nyssen[150] observes, they inflicted canonical and public penance upon murder; but not upon all the inferior degrees of it, such as stripes, and evil-speaking, or other effects of anger, which are prohibited in Scripture, and bring men in danger of eternal death. So of all the degrees of covetousness, which are very many and heinous, they punished none with excommunication but only notorious oppression, and theft, and robbing of graves, and sacrilege, and the like. So that when they sometimes call sins of this middle rank, light and venial sins, in contradistinction to those they termed mortal, they do not mean what now the vulgar casuists of the Romish church mean by venial sins, but only that they were not of the number of those capital crimes, for which the church subjected men to excommunication, and enjoined them public repentance. Which the learned reader may find not only accurately demonstrated by Mr. Daillé,[151] but ingenuously confessed by Du Pin,[152] and also Petavius[153] before him. Daille transcribes Petavius's words, and I shall here transcribe those of Du Pin: "I would not have it thought," says he, "that I make these remarks to authorize licentiousness, or to insinuate that there are some mortal sins that may pass for venial: God forbid, that I should have so detestable a design! On the contrary, my intention is to create a horror of all sins; first, of great crimes; secondly, of sins which may be mortal, though they appear not so enormous; and thirdly, even of slighter sins also. But I thought myself obliged to observe here, for explaining a passage in St. Ambrose, that none but the sins of the first class did subject men to public penance, and that it is of these only the fathers speak, and which they comprehend under the name of enormous sins and crimes; though there be others which may be also mortal, and which a Christian ought carefully to shun; but then they are such for which he was never subjected to the humiliation of a public penance, but only to corrections and reprimands given in secret, as St. Austin informs us." These observations are very just: for it is certain, the fathers speak against all sins, even those of the lowest rank, as dangerous and mortal, if neglected and wilfully indulged, and not carefully opposed by striving against them, and washing away the guilt by daily repentance: according to what we have heard St. Austin say[154] before, That a multitude of lesser sins overwhelm and kill the soul, if they be neglected; as a small leak in a ship, if it be not carefully stopped or drained, will sink it, as well as a bigger wave: which comparison[155] he uses in many places. And the reader that pleases may find the same caution given against lesser sins, as mortal in their own nature, if neglected and indulged, by Nazianzen,[156] Basil,[157] Jerom,[158] Gregory the Great,[159] and many others, who say, There is no sin so small, but that in rigour of justice it would prove mortal, if God would enter into judgment with us, and be extreme to mark what is done amiss against his law, and especially in contempt of it. But to return to the business in hand.

Sect. 15. Excommunication not inflicted for temporal causes.

As it was a general rule, not to use excommunication for slight offences; so we may observe, it was no rule to use this weapon, as in after ages, for mere pecuniary matters and temporal causes. It has frequently been complained of by learned men, both of the protestant and Roman communion, that this is a great abuse[160] of excommunication, that it is often issued forth for the discovery of theft, or the manifestation of secret actions. Of which there are divers instances in the Decretals; and approbation is given to them by the council of Trent,[161] only reserving such cases as a special privilege to the bishop; who is to give a premonition to he knows not whom, and condemn a pretended criminal without hearing, contrary to all the rules aforesaid in the primitive church, which allowed no excommunication in a slight cause, nor in any cause without sufficient evidence, and allowing the criminal to

150 Nyssen. Ep. ad Letoium.

151 Dallæ. de Confess. Auricular. lib. 4. cap. 20.

152 Du Pin, Cent. 4. p. 219.

153 Petav. Not. in Epiphan. p. 238.

154 Aug. Tract. 12. in Joan. p. 47.

155 Vid. Aug. Tract. 1. in 1 Joan. p. 237. Serm. 3. in Psal. cxviii. p. 545. De Civ. Dei, lib. 21. cap. 27. Ep. 108. Hom. ult. ex 50.

156 Naz. Orat. 31. p. 504.

157 Basil. Regula, Brev. 4.

158 Hieron. Ep. 14.

159 Greg. lib. 2. in cap. 1. Reg. lib. 1. Hom. 2. in Ezek. Gennad. de Eccl. Dogm. cap. 53.

160 Taylor, Duct. Dubit. lib. 3. cap. 4. p. 617. Du Moulin, Buckler of Faith, p. 369. Gentillet. Examen Conc. Trid. p. 300. Gerson. in Bishop Taylor, ibid.

161 Conc. Trid. Sess. 25. de Reformat. cap. 3. Excommunicationes illæ, quæ monitionibus præmissis, ad finem revelationis, ut aiunt, aut pro deperditis seu subtractis rebus ferri solent, a nemine prorsus præterquam ab episcopo decernantur.

speak for himself. So again, as Du Moulin observes[162] out of Cardinal Tolet, in the Romish church they excommunicate men for future time, and before any crime is committed, and that for securing only the stocks or trees of the lord of a town or village from spoil, although no man has laid hand upon them. At the request of a creditor they excommunicate a debtor, if he pay not within a certain term, and his insufficiency to pay is the only remedy in the utmost extremity which the law of the Decretals[163] allows him from so severe a censure. But that which is chiefly complained of by their own learned Gerson in this matter, is the abuse of excommunication in the pecuniary concerns of ecclesiastical courts themselves. Bishop Taylor has alleged[164] him in these words: "Not every contumacy against the orders of courts ecclesiastical is to be punished with this death. If it be in matters of faith or manners, then the case is competent: but when it is a question of money and fees, besides that the case is full of envy and reproach, apt for scandal, and to bring contempt upon the church, the church has no direct power in it; and if it have by the aid of the civil power, then for that a civil coercion must be used. It is certainly unlawful to excommunicate any man for not paying the fees of courts; for a contumacy there is an offence against the civil power, and he hath a sword of his own to avenge that. But excommunication is a sword to avenge the contumacy of them who stubbornly offend against the discipline of the church, in that wherein Christ hath given her authority, and that is in the matters of salvation and damnation immediate, in such things where there is no secular interest, where there can be no dispute, where the offender does not sin by consequence and interpretation, but directly and without excuse. But let it be considered how great a reproach it is to ecclesiastical discipline, if it be made to minister to the covetousness, or to the needs of proctors and advocates; and if the church shall punish more cruelly than civil courts for equal offences, and because she hath but one thing to strike withal, if she upon all occasions smites with her sword, it will either kill too many, or hurt and affright none at all." Whatever force there is in these arguments, or however they may affect the Romish church for this apparent corruption of discipline, they do not in the least affect the primitive church, which was conscious of no such practice, but forbade all excommunication for light offences, among which pecuniary matters must be reckoned. It is true, bishops sometimes sat judges in civil causes, and their determinations in such cases were peremptory and final; but then their coercive power in such judicatures was not excommunication, but civil punishments borrowed from the state, and which the state obliged itself to see duly put in execution; of which I have given an ample account[165] heretofore, and showed it to be a very different thing from excommunication, or any kind of ecclesiastical censure.

Sect. 16. No bishop allowed to use it to avenge any private injury done to himself.

I observe further, as very remarkable in this matter, that no bishop was allowed to excommunicate any man for any private injury done to himself. For though this might be a great crime, yet it looked like avenging himself, and therefore it was thought unbecoming his character to right himself by excommunication, but either he was to bear the injury patiently, or commit his cause to the judgment of others. Upon this account Cyprian distinguishes between injuries done to himself in his personal and private capacity, and injuries done to the detriment of the brethren or whole body of the church. I can bear and pass over[166] any affront that is put upon my episcopal character, as I have always done, when it only concerned my own person: but now there is no longer room for forbearance, when many of our brethren are deceived by some of you, who, whilst they would more plausibly recommend themselves to the lapsers by an unreasonable and hasty restoring them to the peace of the church, do more really prejudice their salvation. Here he plainly distinguishes between personal injuries, which he could bear without any great resentment or thoughts of punishing: but those that were of a more public nature, and not only affronts to his authority, but prejudicial to the people, those he threatens to animadvert upon according to their deserving. We find a like distinction made by Gregory the Great, who, writing to a certain bishop who had excommunicated a man for a private injury done to himself, he thus reproves him for it: You show[167] that you think nothing of heavenly things, whilst you inflict the curse of anathema, or excommunication, for the avenging a private injury done to yourself, which the holy canons forbid. Therefore be circumspect and cautious for the future, and presume not to do any such thing to any man in defence of your own private injuries.

[162] Du Moulin, ibid. ex Tolet. Instruct. Sacerdot. cap. 8.

[163] Decretal. Gregor. lib. 3. Tit. 23. de Solution. cap. 3.

[164] Gerson. de Vita Spirituali, Lect. 4. Corol. 7.

[165] Book II. chap. 7.

[166] Cypr. Ep. 10. al. 16. ad Cler. p. 36. Contumeliam episcopatus nostri dissimulare et ferre possum, sicut dissimulavi semper et pertuli: sed dissimulandi nunc locus non est, quando decipiatur fraternitas nostra a quibusdam vestrum, qui dum sine ratione restituendæ salutis plausibiles esse cupiunt, magis lapsis obsunt.

[167] Greg. lib. 2. Ep. 34. Nihil te ostendis de cœlestibus cogitare, sed terrenam te conversationem habere significas; dum pro vindicta propriæ injuriæ (quod sacris regulis prohibetur) maledictionem anathematis invexisti. Unde de cetero omnino esto circumspectus atque sollicitus, et talia cuiquam pro defensione propriæ injuriæ tuæ inferre denuo non præsumas. Nam si tale aliquid feceris, in te scias postea vindicandum. Vid. Gratian. Caus. 23. Quæst. 4. cap. 27.

Otherwise you may expect to feel the censures of the church for your presumption. That there were ancient canons to this purpose in the time of Gregory, cannot be doubted from his testimony, though I know of none at present that speak directly to this particular case: only, in general, the council of Sardica[168] forbids bishops to excommunicate any one in passion or hasty anger, and allows the injured person to appeal to the provincial synod, or the neighbouring bishops, for redress in all such cases.

Sect. 17. No man to be excommunicated for sins only in design and intention.

It is also worth noting, that the church inflicted the severe censures of excommunication upon men only for overt acts, and not for sins in bare design and intention: because, though these might be great sins before God, as our Saviour says, "He that looks on a woman to lust after her, hath committed adultery with her already in his heart;" yet the church was no proper judge of the heart, and therefore she did not ordinarily punish such sins, till they made some visible appearance in the outward action. This seems to be the meaning of that canon of the council of Neocæsarea,[169] which says, "If a man purpose in his heart to commit fornication with a woman, but his lust proceed not into action, it is apparent he is delivered by grace." That is, he sins before God for his wicked design, but the church inflicts not excommunication upon him, because his intention proceeds not to any outward act of uncleanness. So Zonaras[170] interprets it among the ancients, and Osiander among the modern[171] interpreters. Though some think that such intentions, if discovered by any overt acts, might bring a man under ecclesiastical censure.

Sect. 18. Nor for forced or involuntary actions.

The case is more clear as to all forced and involuntary actions, where the will was no way consenting to them. For as they were free from sin, so they were from punishment. There were some indeed, who, out of an over-abundant zeal and ignorant pretence of purity, were for excluding men from communion for such things, which were more to be reckoned their misfortunes than their crimes: but the council of Ancyra prudently corrected this erroneous zeal by a canon[172] to this purpose; That communion should not be denied to those who fled, but were apprehended or betrayed by their servants, and suffered loss of their estates, or torture, or imprisonment, declaring all the while that they were Christians; though they were held, and by violence the incense was put into their hands, and they were forced to receive meat offered to idols into their mouths, declaring themselves all the time to be Christians, and showing by their behaviour and habit, and humble course of life, that they were sorry for that which happened; these being without sin, are not to be debarred from communion. Or if, by the superabundant caution or ignorance of any, they have been debarred, let them forthwith be received into communion again. And the like is determined in the case of women that suffer ravishment against their wills, by Gregory Thaumaturgus,[173] and St. Basil.[174] And so by Dionysius of Alexandria,[175] and Athanasius,[176] and others, for any involuntary defilement whatsoever. These were the general measures observed by the ancients, to distinguish great and small offences, or innocence from sin, in order to show what might or might not bring men under the censure of excommunication. But because it will contribute much toward the more exact understanding of the ancient discipline, to know more particularly the several sorts of those greater crimes for which men were subjected to the highest censures, I will now proceed to make a more distinct inquiry into the nature, and kinds, and degrees of those high misdemeanors in the following chapters.

CHAPTER IV.

A PARTICULAR ACCOUNT OF THOSE CALLED GREAT CRIMES, THE PRINCIPAL OF WHICH WAS IDOLATRY. OF ITS SEVERAL SPECIES, AND DEGREES OF PUNISHMENT ALLOTTED TO THEM ACCORDING TO THE PROPORTION AND QUALITY OF THE OFFENCES.

Sect. 1. The mistake of some about the number of great crimes, in confining them to idolatry, adultery, and murder.

Learned men are not well agreed about the number of those which the ancients called great crimes, with reference to the ecclesiastical punishment, nor about the reason and foundation of that title. There were some in St. Austin's time, who were for confining great crimes, for which excommunication was to be inflicted, to three only, adultery, idolatry, and murder: these they allowed to be mortal sins, and made no doubt but that they were to be punished[1] with excommunication, till

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[168] Conc. Sardic. can. 14. in Latin. Edit. 17.

[169] Conc. Neocæsar. can. 4. [170] Zonar. in Can. 32. Basil.

[171] Osiand. in Can. 4. Neocæs. edit. Witeberg. 1614. Hoc videtur velle hic canon, eum non cadere sub pœnam aliquam disciplinæ ecclesiasticæ, &c.

[172] Conc. Ancyr. can. 3. [173] Greg. Thaum. can. 1.

[174] Basil. can. 49. [175] Dionys. can. 4.

[176] Athan. Ep. ad Ammum. ap. Bevereg. Pandect. t. 2. p. 36.

[1] Aug. de Fide et Oper. cap. 19. Qui autem opinantur et cætera eleemosynis facile compensari, tria tamen mortifera esse non dubitent excommunicatione punienda, donec pœnitentia humiliore sanentur, impudicitiam, idololatriam, homicidium.

they were cured by the humiliation of public penance; but for all others they said compensation might easily be made by giving of alms. This St. Austin labours to confute, not only in the place alleged, but in several others,[2] by which it is evident, that these were not the only great crimes, that were punished with excommunication. And, therefore, those modern authors make a wrong representation of the ancient discipline, who confine it to those three great crimes, or to such as may be reduced to them: since it is apparent, from what is now said, that it extended much further; and, as I shall presently show, included all the great crimes against the whole decalogue, or transgressions of the moral law in every instance.

Sect. 2. The account given of great crimes in the civil law, extended much further.

And it is very observable, that even in the civil law, the account that is given of great crimes extended much further. For when the emperors, according to custom, at the Easter festival, granted a general release and indulgence to such as were imprisoned for their misdemeanors, they still excepted several other heinous crimes, specified in their laws, some five, some six, some eight, some ten, which cannot be reduced to the three crimes of idolatry, adultery, and murder. The laws of Valentinian and Gratian[3] except seven capital crimes from any benefit of such indulgence, viz. sacrilege, treason, robbing of graves, necromancy, adultery, ravishment, and murder. The laws of Theodosius the Great except eight capital crimes; treason, parricide, murder, adultery, ravishment, incest, necromancy, and counterfeiting of the imperial coin.[4] And those of Valentinian junior except ten; sacrilege, adultery,[5] incest, ravishment, robbing of graves, charms, necromancy, counterfeiting the coin, murder, and treason. Now, when the civil law excepted so many great crimes, under the name of *atrocia delicta*, from the benefit of these indulgences, it is not probable (were there no other argument to persuade it) that the ecclesiastical law would let any of those heinous offences go unpunished, or wholly escape the severity of church censure.

Sect. 3. And in the ecclesiastical law, the account of great crimes extended to the whole decalogue.

But we have clearer and more certain evidence in the case. For, first, St. Austin says, The great crimes, which were punished with public penance, were such as were against the whole decalogue, or ten commandments,[6] of which the apostle says, "They which do such things shall not inherit the kingdom of God." Only, as Mr. Daille[7] rightly observes, we must interpret this of capital crimes directly and expressly forbidden in the law, not of all remote branches or lower degrees of sin, that may any way whatsoever be reduced to the principal crime, or indirectly come under the prohibition. For otherwise it would not be true, that all sins forbidden in the decalogue brought men under public penance, since there are some transgressions only conceived in the heart, and never completed in outward action,[8] which, though they might be great breaches of the law, yet they could not come under public censure, but were to be cured by private repentance.

Sect. 4. A particular enumeration of the great crimes against the first and second commandments. Of idolatry, and the several species and branches of it.

Supposing, therefore, that there were many great crimes against every precept of the moral law, which might bring men under ecclesiastical censure and public penance, we will now proceed, in the order of the decalogue, to consider the nature, and kinds, and punishment of them. The great crimes against the first and second commandments (which were commonly joined together) were comprised under the general names of apostacy and irreligion; which comprehended the several species of idolatry; blaspheming and denying Christ in time of persecution; using the wicked arts of divination, magic, and enchantments; and dishonouring God by sacrilege and simony, by heresy and schism, and other such profanations and abuses, corruptions and contempts of his true religion and service. All these were justly reputed great crimes, and ordinarily punished with the severest ecclesiastical censures.

Sect. 5. Of the *sacrificati* and *thurificati*, or such as fell into idolatry by offering incense to idols, and partaking of the sacrifices.

Of idolaters there were several sorts: some went openly to the temples, and there offered incense to the idols, and were partakers of the sacrifices. These were distinguished by the name of *sacrificati* and *thurificati*, as we find them often styled in Cyprian,[9] who speaks of them as defiling both their hands and mouths by the sacrilegious touch; meaning their hands by offering incense, and their mouths by eating of the sacrifices. And of these also there were several degrees. Some, as soon as ever a persecution was set on foot, before they were called upon, or had any violence offered to them, went voluntarily to the temples, and offered sacrifice of their own accord; whilst others held out a long time against torture, and only sacrificed

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[2] Vid. Aug. Hom. ult. ex 50. De Civ. Dei, lib. 21. cap. 27.

[3] Cod. Theod. lib. 9. Tit. 38. De Indulgentiis Criminum, Leg. 3. Ob diem Paschæ, quem intimo corde celebramus, omnibus quos reatus adstringit, carcer inclusit, claustra dissolvimus. Attamen sacrilegus, in majestate reus, in mortuos, veneficus sive maleficus, adulter, raptor, homicida communione istius muneris separentur. It. Leg. 4. ibid.

[4] Ibid. Leg. 6. [5] Ibid. Leg. 7 et 8.

[6] Aug. Hom. ult. ex 50. cap. 3. t. 10. p. 205. Tertia actio est pœnitentiæ, quæ pro illis peccatis subeunda est, quæ legis decalogus continet: et de quibus apostolus ait, Qui talia agunt, regnum Dei non possidebunt.

[7] Dallæus de Confess. Auricular. lib. 4. cap. 20. p. 431.

[8] Vid. Aug. Hom. 44. de Verb. Dom. c. 5.

[9] Cypr. Ep. 15. al. 20. ad Cler. Rom. p. 43. Qui sacrilegis contactibus manus suas atque ora maculassent. It. Ep. 55. al. 52. ad Antonian. p. 108. Placuit sacrificatis in exitu subveniri, quia exomologesis apud inferos non est.

when the utmost necessity compelled them. Cyprian makes a great difference[10] between these two sorts of lapsers; as he does also between those who went not only themselves, but compelled their wives, and children, and servants, and friends, to go and sacrifice with them, and those who, to deliver their families and friends from danger, went and exposed themselves alone; by this means protecting not only their own families, but also many Christian brethren and strangers that were banished, and had fled to take shelter in their houses, who were as so many living intercessors to God for them. They who did thus, he thinks, were much more excusable than those who both went voluntarily, and by their counsel and authority compelled many others to go along with them. Whose crimes he therefore elegantly describes and aggravates after this manner,[11] in his book De Lapsis: They did not stay till they were apprehended, to go to the capitol, but denied the faith before any question was asked them about it. They were conquered before the fight, and fell without any engagement. They ran to the forum of their own accord, and made haste to give themselves the mortal wound, as their own voluntary act without compulsion; as if they had desired this long before, and now only embraced the opportunity that was given them, which they always wished for. How was it, that when they went so readily to the capitol to do this wicked act, their legs did not sink under them, and their eyes grow dim, and their bowels tremble, and their arms fall down, and their senses become stupid, and their tongue falter or cleave to the roof of their mouth, and their words fail them? Could the servant of God stand there, and speak, and renounce Christ, who had before renounced the devil and the world? Was not that altar, whither he came to die, more like his funeral pile? Ought he not to have abhorred and fled from the altar of the devil, as his coffin or his grave, when he saw it smoke and fume with a stinking smell? To what purpose, thou miserable wretch, didst thou bring thy oblation, and put thy sacrifice upon the altar? Thou thyself wert the victim, thou thyself the sacrifice and burnt offering. There thou didst sacrifice thy salvation, and burn thy faith and thy hope in those abominable fires. But many were not content with their own destruction; the people provoked one another into ruin by mutual calls and exhortations, and the cup of death was handed round by every man to his neighbour. And that nothing might be wanting to consummate the crime, parents carried their children in their arms, or led them after them, that their little ones might lose what they had gained in their first birth. Will not they say, when the day of judgment comes, We did nothing ourselves; we did not leave the bread and cup of the Lord, to run of our own accord to those profane contagions: it was the treachery of others that destroyed us, our parents were guilty of parricide toward us. They deprived us of the privilege of having the church for our mother, and God for our Father; that whilst we were little, and unable to care for ourselves, and ignorant of so great a wickedness, we should be taken and betrayed by other men's frauds, being by them made partners in their offences. Thus far Cyprian, aggravating the crimes of those who showed such a forwardness to commit idolatry, and apostatize with greediness and delight.

Now, as these were some of the highest degrees of idolatry, so the church put a remarkable difference between them and others in her punishments, setting a more peculiar mark or note of distinction upon them in her censures. There are several canons in the council of Ancyra, which plainly show this distinction. The fourth canon orders, "That they who were compelled to go to an idol temple, if they went with a pleasing air, and in a festival habit, and took share of the feast with unconcernedness, that they should do six years' penance, one as hearers only, three as prostrators, and two as co-standers to hear the prayers, before they were admitted to full communion again. But if they went in a mourning habit to the temple, and wept all the time they eat of the sacrifice, then four years' penance should be sufficient to restore them to perfection." The eighth canon orders, "Those who repeated their crime by sacrificing twice or thrice, to do a longer penance; for seven years is appointed to be their term of discipline." And by the ninth canon, "If any not only sacrificed themselves, but also compelled their brethren, or were the occasion of compelling them, then they were to do ten years' penance, as guilty of a more heinous wickedness," according as we have heard Cyprian represent it. But if any did neither sacrifice, nor eat things offered to idols, but only their own meat on a heathen festival in an idol temple, they were only confined to two years' penance by the seventh canon of the same council. These canons chiefly respect such as transgressed after some violence or force put upon them, by torture, or

[10] Cypr. ibid. p. 106. Inter ipsos etiam qui sacrificaverint, et conditio frequenter et causa diversa est. Neque enim æquandi sunt, ille qui ad sacrificium nefandum statim voluntate prosiluit; et qui reluctatus et congressus diu ad hoc funestum opus necessitate pervenit: ille qui et se et omnes suos prodidit; et qui ipse pro cunctis ad discrimen accedens, uxorem et liberos, et domum totam periculi sui perfunctione protexit, ille qui inquilinos vel amicos suos ad facinus compulit, et qui inquilinis et colonis pepercit, fratres etiam plurimos, qui extorres et profugi recedebant, in sua tecta et hospitia recepit, ostendens et offerens Domino multas viventes et incolumes animas, quæ pro una saucia deprecentur. Vid. Petri Alex. can. 1, 2, 3.

[11] Cypr. de Lapsis, p. 124.

banishment, or imprisonment, or confiscation, or the like necessity in any other kind of trial; but if any voluntarily apostatized, and prevaricated without compulsion, a severer punishment was laid upon them; for, by the rules of the council of Nice,[12] they were to undergo twelve years' penance, before they were perfectly restored again to full communion. And the same term is appointed by the second council of Arles,[13] which refers to the Nicene canon. The council of Valence in France[14] goes a little further, and obliges them to do penance all their lives, and allows them absolution only at the hour of death, which they were to expect more fully from the hands of God only, who alone had the absolute power of it, and was infinite in mercy that no one should despair. Agreeable to which is that rule of Siricius,[15] that apostates should do penance all their lives, and be reconciled only at the hour of death. The council of Eliberis goes beyond this, and denies such apostates communion at the very last extremity,[16] because this was the great and principal crime above all others. And sometimes adultery and murder were a sort of accessories or concomitants of this idolatry, as many times it was in the heathenish games and shows, which were made up of idolatry, adultery, and murder: upon which account this same council has another canon,[17] which orders, "That if any Christian took upon him the office of a *flamen* or Roman priest, and therein offered sacrifice, doubling and trebling his crime by murder and adultery, he should not be received to communion at the hour of death." Nor need we wonder at this severity, since Cyprian assures us, that before his time[18] many of his predecessors in the province of Africa refused to grant communion to adulterers to the very last; and yet they did not divide communion from their fellow bishops who practised otherwise. And he says further, concerning voluntary deserters and apostates,[19] who continued in rebellion all their lives, and only desired penance when some infirmity seized them, that they were cut off from all hopes of communion and peace; because it was not repentance for their fault, but the fear of approaching death, that made them desire a reconciliation; and they were not worthy to receive that comfort at their death, who would not consider all their life before that they were liable to die. The first council of Arles made a like decree,[20] That such as voluntarily apostatized, and never after sued to the church, nor desired to do penance all their lives till some infirmity seized them, should not be received to communion, unless they recovered, and brought forth fruits worthy of repentance. These were the rules by which the ancient discipline was regulated and conducted in reference to such idolaters and apostates, as actually defiled themselves by offering sacrifice to idols, whether it were by force or by choice; whether they lapsed singly, or drew others into the same crime with themselves; and whether they returned immediately and became penitents, or continued apostates and rebels: according to the difference of which circumstances, different degrees of punishment were laid upon them.

Sect. 6. Of the *libellatici*; wherein their idolatry consisted.

Another sort of those who lapsed into idolatry, and were charged with denying their religion, were called *libellatici*, from certain libels or writings, which they either gave to the heathen magistrates in private, or received from them, to be excused doing sacrifice in public. Baronius[21] thinks there was but one sort of these *libellatici*, and that they all expressly denied Christ, either by themselves or others; but being ashamed to sacrifice or deny him in public, they made a private renunciation, and for a bribe got a libel of security from the magistrate, to indemnify and secure them from being sought after, or called upon to sacrifice in public. But other learned men[22] observe some distinction among them: and, indeed, there seem at least to have been three sorts of them. Some expressly gave it under their

[12] Conc. Nic. can. 11.

[13] Conc. Arelat. 2. can. 10.

[14] Conc. Valentin. can. 3. Acturi pœnitentiam, usque in diem mortis, non sine spe tamen remissionis, quam ab eo plene sperare debebunt, qui ejus largitatem et solus obtinet, et tam dires misericordia est, ut nemo desperet.

[15] Siric. Ep. 1. ad Himerium, cap. 3. Apostatis, quamdiu vivunt, agenda pœnitentia est, et in ultimo fine suo reconciliationis gratia tribuenda.

[16] Conc. Eliber. can. 1. Placuit inter eos, qui post fidem baptismi salutaris, adulta ætate, ad templum idololatraturus accesserit, et fecerit, quod est crimen principale, quia est summum scelus, nec in fine eum communionem accipere.

[17] Ibid. can. 2. Flamines, qui post fidem lavacri et regenerationis sacrificaverunt; eo quod geminaverint scelera, accedente homicidio, vel triplicaverint facinus, cohærente mœchia, placuit eos nec in fine accipere communionem.

[18] Cypr. Ep. 52. al. 55. ad Antonian. p. 110. Et quidem apud antecessores nostros quidam de episcopis istic in provincia nostra dandam pacem mœchis non putaverunt, et in totum pœnitentiæ locum contra adulteria clauserunt, non tamen a coepiscoporum suorum collegio recesserunt, &c.

[19] Cypr. ibid. p. 111. Idcirco pœnitentiam non agentes, nec dolorem delictorum suorum toto corde et manifesta lamentationis suæ professione testantes, prohibendos omnino censuimus a spe communicationis et pacis; quia rogare illos non delicti pœnitentia, sed mortis urgentis admonitio compellit; nec dignus est in morte accipere solatium, qui se non cogitavit esse moriturum.

[20] Conc. Arelat. 1. can. 23. De his qui apostatant, et nunquam se ad ecclesiam repræsentent, nec quidem pœnitentiam agere quærunt, et postea, in infirmitate arrepti, petunt communionem, placuit eis non dandam communionem, nisi revaluerint, et egerint dignos fructus pœnitentiæ.

[21] Baron. an. 253. n. 20.

[22] Vid. Albaspin. Observat. lib. 1. cap. 21. Cave, Prim. Christ. lib. 3. c. 5. p. 384. Suicer. Thesaur. t. 2. p. 240.

hands to the magistrate, that they were no Christians, denying their religion in word or writing, as others did in action; professing they were ready to sacrifice, if the magistrate should call them to it. Cyprian often speaks of these, and puts them in the same class with those that actually sacrificed. Let not those flatter themselves, says he,[23] as if they were excused from doing penance, who, although they did not defile their hands with the abominable sacrifices, yet defiled their consciences by a libel. A Christian that professes he denies his religion, is witness against himself, that he abjures what he was before; he owns in words to have done whatever the other did in real action. Another sort did neither abjure, nor sign any libel of abjuration themselves, but sent either a heathen f iend or a servant to sacrifice or abjure in their names, and thereby procure them a libel of security from the magistrate, as if they had done what the others did for them. And indeed the church so interpreted it, and reckoned these no less criminals than the former. The Roman clergy, in their letter to Cyprian, condemn them both alike,[24] saying, That this latter sort, though they were not present at the fact of delivering the libel to the magistrate, yet they were in effect present by commanding it to be written and presented. For he that commands a sin to be done, cannot discharge himself of the guilt of it; nor can he be innocent of the crime, by whose consent it is publicly read in court as done, though he was not actually the doer of it. Seeing the whole mystery of faith is summed up in confessing the name of Christ, he that seeks by any fallacious tricks to excuse himself from such profession, does plainly deny it; and he that, when edicts and laws are published against the gospel, would be thought to comply with and observe them, does in that very thing obey them, in that he would have the world believe that he does obey them. The Canons of Peter, bishop of Alexandria, also take notice of this sort of libellers, and appoint them their punishment, making this difference between a master who compelled his slave to go and sacrifice for him, and the slave who went at his command: the slave was[25] to do one year's penance, but the master is enjoined three years, because he dissembled, and because he compelled his fellow servant to sacrifice: for we are all servants of the Lord, with whom is no respect of persons. Besides these, there was another sort of libellers, who, finding that the fury of the judge was to be taken off by a bribe, they went to him, and told him plainly, they were Christians, and could not sacrifice, and therefore desired him to give them a libel of security, for which they would give him a suitable reward. Cyprian, speaking of this sort of libellers, brings them in thus apologizing for themselves: I had before[26] both read and learnt from the preaching of the bishop, that the servant of God ought not to sacrifice to idols, nor to worship images; and therefore, that I might not do that which is unlawful, (when the opportunity of getting a libel offered itself, which yet I would not have accepted, had not the occasion presented itself,) I went to the magistrate, or employed another to go in my name, and tell him, that I was a Christian, and that it was unlawful for me to sacrifice, or come near the altars of the devils; that therefore I would give him a reward to excuse me from doing that which I could not lawfully do. Cyprian does not wholly excuse these, but adds, That though their hands were not polluted with sacrifice, nor their mouths with eating things offered to idols, yet their conscience was defiled: but forasmuch as they seemed rather to sin out of ignorance than maliciousness, he thinks their case a little more favourable than those that sacrificed; and therefore, since some difference was made even among those that sacrificed, he thinks a greater allowance should be made to these, though he does not particularly tell us what term of penance was imposed upon them.

Sect. 7. Of those who feigned themselves mad, to avoid sacrificing.

Not much unlike this sort of libellers, were they who counterfeited madness in times of persecution, to get themselves excused by this means from being questioned, or called upon to offer sacrifice. Some of them would go to the very altars, and make as if they intended to sacrifice, or subscribe the abjuration, but then they evaded the thing by pretending to fall into a sort of epileptic fit, which inclined the magistrates to excuse them, and let them escape, as David, by such an artifice, escaped from Achish, when he intended to kill him. Now, this was looked upon as mere dissimulation and collusion, and only a more artful way of denying their religion; and therefore, by the penitential rules of

[23] Cypr. de Lapsis, p. 133. Nec sibi, quo minus agant pœnitentiam, blandiantur, qui etsi nefandis sacrificiis manus non contaminaverunt, libellis tamen conscientiam polluerunt. Et illa professio denegantis contestatio est Christiani, quod fuerat abnuentis; fecisse se dixit, quicquid alius faciendo commisit. So in the Epistle of the Roman clergy to Cyprian. Ep. 30. al. 31. p. 57. Seipsos infideles illicita nefariorum libellorum professione prodiderant, quando non minus quam si ad nefarias aras accessissent, hoc ipso, quod ipsum contestati fuerant, tenerentur.

[24] Ibid Sententiam tulimus etiam adversus illos qui accepta fecissent, licet præsentes, cum fierent, non affuissent, cum præsentiam suam utique ut sic scriberentur, mandando fecissent. Non est enim immunis a scelere, qui, ut fieret, imperavit; nec est alienus a crimine, cujus consensu, licet non a se admissum crimen, tamen publice legitur, &c.

[25] Petri Can. 6 et 7.

[26] Cypr. Ep. 52. al. 55. ad Antonian. p. 107. Vid. Celerin. Ep. 21. ibid. p. 46. Etecusa pro se dona numeravit, ne sacrificaret; sed tantum adscendisse videtur usque ad Tria Fata, et inde descendisse.

Peter, bishop of Alexandria,[27] such, though they neither sacrificed themselves, nor suborned others to sacrifice for them, were subjected to penance for six months, because they, in some measure, denied their religion, and made a show of countenancing idolatry both by their cowardice and dissimulation.

Sect. 8. Of contributors to idolatry. Of the *flamines, munerarii,* and *coronati.* What they were, and how guilty of idolatry.

And indeed it was not only the bare commission of idolatry that subjected men to ecclesiastical censure, but all promoters, encouragers, and compliers with idolatrous rites, were reputed guilty of idolatry in some degree, and accordingly proceeded against as betrayers of their religion. Thus in the council of Eliberis, there is a canon against such Christians as took upon them the office of a *flamen*, or heathen priest; part of whose office was to exhibit the ordinary games or shows to the people: and if they did this, though they abstained from sacrificing, they were to do penance all their lives, as encouragers of idolatrous rites, and only[28] be admitted to communion at the hour of death, after sufficient evidences of a true repentance. Some learned persons mistake the sense of this canon, understanding the words, *munus dare*, as if they meant giving money to the judge to excuse them from sacrificing; which would be the same crime as the libellers were guilty of; whereas this canon speaks not of such lapsers, but of those who took upon them the office of a *flamen*, whose business, among other things, was to give, or exhibit, at his own, or else at a public expense, the *munera*, that is, the ordinary games, or shows and pastimes, to the people. For these were called *munera*,[29] as appears from the use of the term in the civil law; and they that gave them, were thence termed *munerarii*, the masters of the games, or the entertainers, who kept beasts and men to fight in the amphitheatre for the entertainment of the people, as may be seen in Tertullian,[30] and Seneca, and Suetonius,[31] and others, who speak according to the propriety of the Latin tongue. Now, because these games were held chiefly on the heathen festivals, and in honour of their gods, and were full of idolatrous rites, as well as cruelty and impurity, a Christian could not exhibit them to the people, without incurring the crime of idolatry, at least indirectly, by promoting and encouraging the practice of it. And for that reason this canon is so severe against those who furnished out these shows at their own expenses. A lower degree of this crime was, when such a *flamen* or priest neither offered sacrifices nor exhibited the games at his own expense, but only wore the crown,[32] which was usual in such solemnities; which being a badge of idolatry, for that reason, by another canon of that council, two years' penance, as a moderate punishment in comparison of the former, is imposed upon them that were so far concerned in it. But it may be noted, that Tertullian's invective against the soldier's crown or garland, in his book De Corona Militis, has no relation to this matter; for the wearing of such a crown seems to have had no concern in religion, but to be a mere civil act done in honour of the emperors on such days as they gave their largesses or donations to the soldiers. The laurel was only an ensign of victory, and though it was dedicated to Apollo, yet that did not make the use of it unlawful; otherwise the use of the four elements, and many other trees, and plants, and animals, had all been unlawful, because, as St. Austin[33] shows, they were dedicated to the gods also. Therefore learned men[34] censure Tertullian here as overstraining his argument upon this point, upon his new principles of Montanism, by which he also denied it to be lawful for a Christian to fly in time of persecution, or to bear arms in defence of the empire,[35] contrary to his former judgment in his Apology, where he tells the emperor that his army was full of the disciples of Jesus, and mentions the famous undertaking of the thundering legion with a great eulogium and commendation. So that this new severity of his, in condemning the Christian soldiers for wearing a laurel crown, must be reckoned among those peculiarities which he imbibed after he was fled over from the church to the school of Montanus; since we no where find soldiers condemned for this in the catholic church, much less brought under any discipline or penance for the use of it.

Sect. 9. How the office of the *duumvirate* made men guilty of idolatry, and how it was punished.

But there is another canon in the council of Eliberis, which orders, "That all Christians who took upon them the city magistracy or office, called the *duumvirate*, should be denied communion for the whole year in which they held the office,[36] as guilty of some offence against religion." No crime

[27] Pet. Alex. can. 5.

[28] Conc. Eliber. can. 3. Item flamines, qui non immolaverint, sed munus tantum dederint, eo quod se a funestis abstinuerunt sacrificiis, placuit in fine eis præstari communionem, acta tamen legitima pœnitentia.

[29] Cod. Theod. lib. 9. Tit. 18. Leg. 1. Bestiis primo quoque munere objiciatur. Vid. Gothofred. in loc. et Martial. de Spectaculis, Epigram. 6.

[30] Tertul. Apol. cap. 44. De vestris semper munerarii noxiorum greges pascunt.

[31] Sueton. Vit. Domit. cap. 10. Threcem mirmilloni parem, munerario imparem.

[32] Conc. Eliber. can. 55. Sacerdotes qui tantum coronam portant, nec sacrificant, nec de suis sumptibus aliquid ad idola præstant, placuit post biennium accipere communionem.

[33] Aug. Ep. 154. ad Publicolam.

[34] Vid. Baron. an. 201. n. 16. Du Pin, Biblioth. vol. 1. p. 95. Seller, Life of Tertul. p. 221.

[35] Tertul. de Coron. Mil. cap. 11.

[36] Conc. Eliber. can. 56. Magistratum vero uno anno, quo agit duumviratum, prohibendum placuit, ut se ab ecclesia cohibeat.

is mentioned, but idolatry is understood. For the grounds and reasons of this canon will be easily explained and understood from the account that is given of this office in the civil law. Where we learn, that the *duumviri* were the chief city magistrates, otherwise called, *primates curiæ*, chosen every year (for it was but an annual office); and it belonged to them (as it did to the *flamines*, and the *pontifices*, or *sacerdotes provinciarum*, and the *prætors*, and the governors of provinces, or ordinary judges) to exhibit the *spectacula*, or the games and shows to the people, as Gothofred[37] shows from various laws of the Theodosian Code.[38] And Tertullian not only observes the same, that the city magistrates were the editors of these games; but that the shows themselves were founded in idolatry,[39] and attended with many idolatrous ceremonies; which he makes use of as one argument why a Christian should not frequent them. And for this reason the council of Eliberis orders all Christians, who took upon them the office of the *duumviri*, to be kept back from communion during the year they went through that office; because they could not exhibit these shows to the people without encouraging and partaking in that idolatry which was so closely annexed to them. *Ludorum celebrationes deorum festa sunt. Lactant. lib.* 6. *c.* 20.

Sect. 10. How actors, and stage-players, and charioteers, and other gamesters, and frequenters of the theatre and *cirque*, were charged with idolatry, and punished for it.

And for the same reason all actors and stage-players, and they who drove the chariots in the public games, and gladiators, and all who had any concern in the exercise or management of these unlawful sports, and all frequenters of them, were obliged either to quit these practices, or be liable to excommunication so long as they continued to follow them; not only because a great deal of impurity and cruelty was committed in them, but also because they contributed to the maintenance of idolatry, which was an appendage of them. All these were comprised in the pomp and service of the devil, which every Christian had renounced at his baptism; and therefore when any one returned to them, he was charged as a renouncer of his baptismal covenant, and thereupon discarded, as an apostate and relapser, from Christian communion. Thus Cyprian, being consulted by Eucratius,[40] whether a stage-player might communicate, who continued to follow that dishonourable trade; he answers, That it was neither agreeable to the majesty of God, nor the discipline of the gospel, that the modesty and honour of the church should be defiled with so base and infamous a contagion. The council of Eliberis[41] allows stage-players to be baptized only upon condition that they renounced their arts, and entirely bid adieu to them: and if after baptism they returned to them again, they were to be cast out of the church. The first council of Arles[42] has a like decree, That all public actors belonging to the theatre, shall be denied communion, so long as they continue to act. And the third council of Carthage[43] supposes the sentence of excommunication to pass upon all such, when it says, That actors and stage-players, and all apostates of that kind, shall not be denied pardon and reconciliation, if they return unto the Lord. This implies, that they were gone astray and cast out of the church for their crimes, since they needed pardon and reconciliation to take off their censure and restore them. The first council of Arles[44] determines the same in the case of those who drove the chariots in the public games, that so long as they continued in that employment they should be denied communion. Tertullian[45] and others say expressly, that these arts were part of those pomps and worship of Satan which men renounced in baptism. And it appears from a rule in the Constitutions,[46] That no charioteer, or gladiator, or racer, or curator of the public games, or practiser in the Olympic games, or minstrel, or harper, or dancer, was to be admitted to baptism, unless they immediately quitted these unlawful callings. And it was no less a crime to frequent the theatre, and be spectators of these idolatrous practices, as is noted in the same rule of the Constitutions. Therefore as an

[37] Gothofred. Paratitlon. ad Cod. Theod. lib. 15. Tit. 5. de Spectac.

[38] Vide Cod. Theod. lib. 12. Tit. 1. de Decurionibus, Leg. 169. lib. 15. Tit. 5. de Spectaculis, Leg. 1.

[39] Tertul. de Spectac. cap. 11. Proinde Tituli, Olympia Jovi, quæ sunt Romæ capitolina. Item Herculi Nemæa, Neptuno Isthmia, ceteri mortuorum varii agones. Quid ergo mirum, si apparatus agonum idololatria conspurcat de coronis profanis, de sacerdotalibus præsidibus, &c. It. cap. 12. Hæc muneris origo.—Et licet transierit hoc genus editionis ab honoribus mortuorum ad honores viventium, quæsturas dico et magistratus et flaminia et sacerdotia: cum tamen nominis dignitas idololatriæ crimine censeatur, necesse est, quicquid dignitatis nomine administratur, communicet etiam maculas ejus, a qua habet causas, &c. Vid. Apolog. cap. 38. et de Idololatr. cap. 13.

[40] Cypr. Ep. 61. al. 2. ad Eucratium, p. 3. Puto nec majestati Divinæ, nec evangelicæ disciplinæ congruere, ut pudor et honor ecclesiæ tam turpi et infami contagione fœdetur.

[41] Conc. Eliber. can. 62. Si pantomimi credere voluerint, placuit, ut prius artibus suis renuncient, et tunc demum suscipiantur, ita ut ulterius non revertantur. Quod si facere contra interdictum tentaverint, projiciantur ab ecclesia.

[42] Conc. Arelat. 1. can. 5. De theatricis, et ipsos placuit, quamdiu agunt, a communione separari.

[43] Conc. Carth. 3. can. 35. Ut scenicis atque histrionibus, cæterisque hujusmodi personis, vel apostaticis, conversis vel reversis ad Dominum, gratia vel reconciliatio non negetur.

[44] Conc. Arelat. 1. can. 4. De agitatoribus, qui fideles sunt, placuit eos, quamdiu agitant, a communione separari.

[45] Tertul. de Spectac. cap. 4. De Coron. Mil. cap. 13. Salvian. de Provid. lib. 6. p. 197. Cyril. Catech. Myst. 1. n. 4.

[46] Constit. lib. 8. cap. 32.

obstinate adherence to these things debarred catechumens from baptism, so it likewise excluded baptized persons or believers from the privilege of communion.

Sect. 11. Idol-makers, their crime and punishment.

Another way of contributing to the practice of idolatry, was the art or trade of making idols for the worshippers of them. Many Christians, who abhorred the worship of idols themselves, made no scruple to make idols for others, and live by this calling; which was reputed a very scandalous profession, tending indirectly and consequentially to the upholding and promoting of idolatry. For which reason, no man professing this art could be admitted to baptism, unless he promised to renounce it, as we learn from the author of the Constitutions.[47] And what denied a man one sacrament, would also deny him the other. Tertullian calls such, proctors and purveyors[48] for idolatry; inveighing against this and some other trades of the like nature. When you help, says he, to furnish out the pomp, the priesthood, the sacrifices of idols, what can you be called but procurers for idols? All heinous sins, for the greatness of the danger attending them, ought to make us extremely cautious to keep at a distance not only from them, but from all things that minister to the practice of them. For though a crime be committed by others, it is all one, if I am instrumental to the commission of it. By the same reason that I am forbidden to do it, I ought to take care that it be not done by my assistance. I must not be a necessary aid to another in doing that, which I may not lawfully do myself. Upon these grounds he concludes the trade of making idols to be unlawful, as well as the worship of them. And so did Clemens Alexandrinus,[49] and Justin Martyr[50] before him. Tertullian objects it as a great crime to Hermogenes,[51] that he followed the trade of painting images. But that which is most material to our purpose here, is his observation which he makes in his book of Idolatry[52] upon the punishment due to such as made a livelihood of this unlawful calling, That any one who followed it ought not to have access to the house of God; for it was contrary to the faith which they had professed in baptism. How have[53] we renounced the devil and his angels, if we still continue to make them? What divorce have we made from them, with whom we not only continue to live, but live upon them? What disagreement is there between us and them, to whom we are obliged for our maintenance and livelihood? Can you deny that with your tongue, which you confess with your hand? Can you destroy that in words, which you raise up in your actions? preach one God, and make so many? preach the true God, and make false ones? But (say you) I only make them, I do not worship them. As if the same reason which forbids you to worship them, did not also forbid you to make them. Yea, you worship them, in doing that which causes them to be worshipped. And you worship them not with the spirit of any vile *nidor*, or smell of a sacrifice, but with your own spirit: not with the life of a sheep bestowed on them, but with your own soul. To them you sacrifice your own ingenuity, to them you offer your labour, to them you burn your prudence and understanding. You are more than a priest to them, since by your means it is that they have a priest. Your diligence is their deity. Do you then deny that you worship that, to which you give its very being and existence? But they themselves do not deny it, to whom you offer a fatter, and more costly, and greater sacrifice, even your own salvation. Thus far Tertullian, who notwithstanding seems to complain, that there was a great remissness in the exercise of discipline upon such offenders. For he immediately adds, One might declaim all the day long with a zeal of faith upon this point, and bewail such Christians[54] as come straight from their idols into the church, from the shop of the adversary into the house of God, and there lift up to God the Father those very hands which are the mothers or makers of idols; adoring God in the church with those hands, which without-doors are themselves adored in the idols which they have made against God; and taking the body of the Lord into those hands, wherewith they have prepared and given bodies to the devils. Nor is this all. It were but a small thing to defile that body which they receive from the hands of others, but those very hands deliver it to others, which have first defiled it. For the makers of idols are sometimes chosen into the holy orders of the church. O monstrous wickedness! The Jews once laid hands upon Christ, but these every day treat his body despitefully. O hands that ought to be cut off! If Tertullian here does not make too severe an invective, and calumniate the church, it must be owned there was some neglect in the exercise of discipline, to suffer such offenders not only to communicate, but take orders in the church, who by the rules of discipline ought not to communicate in the Christian body in any quality whatsoever.

[47] Constit. lib. 8. cap. 32.

[48] Tertul. de Idol. cap. 11. Certe cum pompæ, cum sacerdotia, cum sacrificia idolorum——instruuntur, quid aliud quam procurator idolorum demonstraris? &c.

[49] Clem. Protreptic. ad Gentes, p. 54. edit. Oxon.

[50] Justin. Dial. cum Tryph. p. 321.

[51] Tertul. cont. Hermog. cap. 1. Pingit licite, nubit assidue: legem Dei in libidinem defendit, in artem contemnit: bis falsarius, et cauterio et stilo.

[52] De Idololat. cap. 5. Hujusmodi artifices nunquam in domum Dei admitti oportet, si quis eam disciplinam norit.

[53] Ibid. cap. 6. [54] Ibid. cap. 7.

Sect. 12. The idolatry of building or adorning heathen altars and temples.

Tertullian in the same book brings the charge of idolatry against all other artificers, who contributed toward the worship of idols, either by erecting of altars, or building of temples, or making of shrines, or beautifying and adorning the idols, or any thing belonging to them; for it was the same thing[55] whether a man made an idol, or only adorned it. He that built a temple, or erected an altar, to an idol, or overlaid it with gold, did rather more toward its worship, than he that made it; for the one only gave it an effigies, the other gave it authority, procuring veneration to be paid to it as a god. Upon this score all who thus contributed toward the worship of idols, though they did not actually sacrifice to them, were ranked in the same class with idolaters, and accordingly subjected to the censures of the church. Which appears from that famous remonstrance, which St. Ambrose made to the emperor Valentinian,[56] when he was solicited by Symmachus the heathen to restore the altar of Victory in the capitol. He told him plainly, That if he did this, no bishop would receive him to communion, but every one courageously repel him, and be ready to give him a good reason for their opposition: they will tell you, says he, that the church desires not your gifts, because you have adorned the temples of the heathen with your gifts: the altar of Christ refuses your oblations, because you have erected an altar to the idol gods. The case of Marcus Arethusius is famous in story, who chose rather to suffer death under Julian, than rebuild a temple, which he had demolished by law in the time of Constantius, as is related at large by Gregory Nazianzen[57] and Sozomen. And Theodoret highly commends Audas,[58] a Persian bishop, for that having demolished a *pyræum*, (a temple where the Persians worshipped fire as a god,) though he did this without any legal authority, yet he rather chose to suffer death than rebuild it; because it was the same thing to build a temple to the idol, as to worship it. And St. Chrysostom says,[59] it was a very common thing in the time of Julian, to call upon all those who had been concerned in demolishing temples in the preceding reigns of Constantine and Constantius, and prosecute them to death, because they refused to rebuild them.

Sect. 13. Of merchants selling frankincense to the idol temples, and the buyers and sellers of the public victims.

Among other promoters and encouragers of idolatry, they reckoned all merchants selling frankincense to the idol temples, and all who made a trade of buying and selling the public victims. Tertullian styles all these *procuratores idololatriæ*, purveyors for idolatry. And he expressly says of those who bought and sold the public victims,[60] That no church would receive them to baptism, without obliging them to renounce that unlawful possession; nor suffer them to continue in her communion, if they were already of the number of the faithful. And hence he argues more strongly against the *thurarii*, as he terms those who made a livelihood of selling frankincense to the temples, which he reckons the worse of the two. With what face can the Christian seller of frankincense,[61] if he chance to go through a temple, spit at the smoking altars, and show his detestation of those idols, for which he himself has been the purveyor? With what heart or courage can he pretend to exorcise those devils, to whom he has been a foster-father, and made his house a shop to furnish materials for their service? Hence, upon the whole matter, he concludes, that no art, profession, business, or trade could be wholly free from the imputation of idolatry, which was instrumental and subservient either in making of idols, or furnishing out what was necessary to the support of their worship and service.

Sect. 14. Of eating things offered to idols. How and when it stood chargeable with idolatry.

The case of eating things offered to idols is resolved by the apostle. It was never lawful to do it in an idol temple, because that was to partake of the sacrifice as a sacrifice, and to communicate with devils; which was a hardening of the Gentiles, and a scandal to the church of God. The Nicolaitanes are condemned for this in Scripture, and the practice of the Basilidians and Valentinians[62] by writers of the following ages. The Acts of Lucian the martyr[63] tell us, He chose rather to die with hunger, than to eat things offered to idols, when his persecutors would allow him no other sustenance in prison. And Baronius gives another such instance[64] in the people of Constantinople, who, when Julian had ordered all the meat in the shambles to be polluted with idolatrous lustrations, they freely abstained from it, and used boiled corn instead of

[55] Tertul. de Idol. cap. 8. Nec enim differt, an exstruas, vel exornes: si templum, si aram, si ædiculam ejus instruxeris, si bracteam expresseris, aut insignia, aut etiam domum fabricaveris. Major est ejusmodi opera, quæ non effigiem confert, sed auctoritatem.

[56] Ambros. Ep. 30. ad Valentin. Junior. Ara Christi dona tua respuit, quia aram simulacris fecisti. See chap. 3. sect. 5.

[57] Naz. Orat. 1. in Julian. p. 90. Sozom. lib. 5. cap. 10. Theod. lib. 3. cap. 7.

[58] Theod. lib. 5. cap. 38.

[59] Chrys. Hom. 40. in Juventinum et Maximum, t. 1. p. 548

[60] Tertul. de Idol. cap. 11. Si publicarum victimarum redemptor ad fidem accedat, permittes ei in eo negotio permanere? Aut si jam fidelis id agere susceperit, retinendum in ecclesia putabis? Non opinor.

[61] Ibid. Quo ore Christianus thurarius, si per templa transibit, quo ore fumantes aras despuet, et exsufflabit, quibus ipse prospexit? Qua constantia exorcizabit alumnos suos, quibus domum suam cellariam præstat?

[62] Agrippa Castor. ap. Euseb. lib. 4. cap. 7. Irenæ. lib. 1. cap. 1.

[63] Ap. Baron. an. 311. n. 6.

[64] Baron. an. 362. p. 24.

bread, so defeating the tyrant's malicious intention. Not that it had been any idolatry to have eat such meats in such a case; for the apostle allows it, where it may be done without either communicating with the idols, or giving scandal to the weak: "Whatsoever is sold in the shambles, eat, asking no question for conscience sake." And upon this warrant of the apostle Theodoret[65] justifies the people of Antioch in another such case. For Julian made use of the same devilish stratagem to insnare them, polluting all the fountains of Antioch and Daphne, and all the meat in the shambles, with his idolatrous rites, and all the bread and fruits of the earth and herbs, that the Christians might have nothing to eat, but what was offered in sacrifice to idols. Which is also noted by Chrysostom[66] and others, who speak of the diabolical wiles of Julian. But in this case the Christians made no scruple of eating any thing, notwithstanding the policy of their adversary, as knowing that the good creatures of God could not be defiled by any such wicked contrivances, so long as they did not consent to them, or communicate in them: "For the earth is the Lord's, and the fulness thereof," and what was sanctified to them by the word of God and prayer, could not be unsanctified or polluted by any profane abuses.

Sect. 15. Whether a Christian out of curiosity might be present at an idol sacrifice, not joining in the service.

But where there was any real communication with idolatry, or any just ground for a suspicion of it, it was at no hand allowable to give the least countenance to it, or any umbrage to surmise an approbation of it. For this reason, the council of Eliberis forbids any Christian to go to the capitol,[67] or idol temple, so much as only out of curiosity to see the sacrifice offered, under the penalty of ten years' penance imposed upon them. Albaspiny[68] rightly observes, That though there be a little obscurity in the original wording of the canon, yet it must needs intend to prohibit the going to see the sacrifice: for otherwise, if they went to sacrifice, not only a ten years' penance, but a penance for their whole lives was imposed upon them by the two first canons of this council. So that the plain sense of the canon must be, that if, as a heathen went to sacrifice, so a Christian went only to see the sacrifice, he should be held guilty of the same crime, and do ten years' penance for it. Yet this was to be understood, if he had no other call but curiosity to carry him thither: for if by any necessary office or duty of his station he went thither, this was no crime; as if he was of the prince's guard, and only went to attend his sovereign, he was guiltless, because he went not to see the sacrifice, but to do his duty. Thus Theodoret[69] says, Valentinian, when he was a tribune and captain of the guard to Julian, attended his master to the temple of Fortune: but when the doorkeepers, according to custom, sprinkled their lustral or holy water upon those that went in, and a drop of it fell upon his coat, he gave the man a blow upon the face, telling him, he did not think himself purified, but profaned. And by this act, says Theodoret, he merited two kingdoms, both an earthly and a heavenly. For Julian immediately banished him for the fact, and confined him to a castle in the desert; but before a year and a few months were past, this noble confessor was rewarded with the imperial crown and the dignity of the Roman empire. By this it appears, they put a great difference between going to a temple out of mere impertinency and curiosity to see the idolatrous rites and sacrifices, and going thither only upon the necessary obligations of their duty and function. And Tertullian, who is as severe as any in this matter, owns the reasonableness of this distinction. It were to be wished, says he, that we could live[70] without seeing those things which we cannot lawfully practise; but because idolatry has so filled the world with evils, a man may be present in some cases, where duty binds him to the man, and not to the idol. If I am called to a priesthood or to a sacrifice, I will not go; for that is the proper office or service of the idol: neither will I contribute by my counsel, or my expense, or my labour, to any such thing. If when I am called to a sacrifice, I go and assist, I am partaker of the idolatry; but if any other cause joins me to the sacrificer, I am only a spectator of the sacrifice. He applies this particularly to slaves waiting on their heathen masters, and children or clients on their patrons or parents, and officers on governors and judges. If we are careful to observe this rule, neither by word nor deed to give any assistance to the idolatrous service, we may attend on magistrates and powers, after the example of the patriarchs, and others of our ancestors, who waited on idolatrous kings, *usque ad finem idololatriæ*, as far as the confines of idolatry would permit them. He gives the same resolution in some other private and common cases, as a Christian's being obliged to attend the solemnity of giving a youth the *toga virilis*, the habit of a man, the solemnity of espousals, or nuptials, or the manumission of a slave,[71] or giving him a new name. For all these things were innocent in themselves; and

[65] Theod. lib. 3. cap. 15.

[66] Chrys. Hom. 4. de Laudibus Pauli, t. 5. p. 593.

[67] Conc. Eliber. can. 59. Prohibendum ne quis Christianus, ut Gentilis, ad idolum capitolii causa sacrificandi, ascendat et videat: quod si fecerit, pari crimine teneatur. Si fuerit fidelis post decem annos, acta pœnitentia, recipiatur.

[68] Albasp. in loc.

[69] Theod. lib. 3. cap. 16. Vid. Sozomen. lib. 6. cap. 6.

[70] Tertul. de Idol. cap. 16 et 17.

[71] Tertul. ibid. cap. 16. Circa officia vero privatarum et communium solennitatum, ut togæ puræ, ut sponsalium, ut nuptialium, ut nominalium, nullum putem periculum obser-

though idolatrous rites were usually mixed with them, yet a man might be present without communicating in those rites, distinguishing the causes which required his attendance. They were pure and clean in their own nature: for neither does the habit of a man, nor the ring of espousals, nor the joining of man and woman in marriage, descend originally from any honour of an idol; for all these things are allowed by God; and though sacrifices were used in the ceremony, yet a man whose office and business was not in the sacrifice, but required upon some other account, might lawfully attend them without defilement. This was the resolution of all such cases, where some obligation of office or duty required a man's presence at some idolatrous service; not as contributing any ways his assistance in it, or communicating either directly or indirectly in the service; but only performing what properly belonged to him by virtue of his lawful employment; and being ready, like Valentinian, to show his aversion to all superstitious and idolatrous rites, when any more peculiar occasion required it. The being present barely to perform some other duty, was not interpreted in this case any communicating with idolatry, because the very tenor of his obligation and duty sufficiently demonstrated it to be otherwise.

Sect. 16. Whether he might eat his own meat in an idol temple.

But where a man had no such necessary call or obligation to perform any duty that required his presence in a temple, then to be present at an idolatrous service, or do any thing that might look with a suspicious aspect towards it, was a sufficient reason to bring him under ecclesiastical censure. Thus no one could pretend any just reason to carry his own meat and eat it in an idol temple, but this must needs imply some disposition towards idolatry: and therefore the council of Ancyra[72] made a decree, That such as feasted with the heathen upon any idol festival in any place set apart for that service, though they carried their own meat and eat it there, should do two years' penance for it. The canon does not expressly call the place an idol temple, but *τόπον ἀφωρισμένον*, a place set apart for the service; which, whether we take it for a temple, or any other place of feasting, is all one, since it was a place appropriated to the worship of the idol on a festival peculiarly dedicated to the honour of some heathen god.

Sect. 17. Or feast with the heathen on their idol festivals.

And this sort of feasting with the heathens on their proper festivals, whether in a temple or out of a temple, was precisely forbidden, under the notion of communicating with them in their impiety; which are the express words of the council of Laodicea, prohibiting this practice of keeping such festivals with the Gentiles.[73] Among the Apostolical Canons[74] there is also one that forbids Christians to carry oil to any heathen temple or Jewish synagogue, or to set up lights on their festivals, under the penalty of excommunication; which shows that Christians were sometimes inclined to concur with the heathens in this practice.

And this seems to be the most rational sense that can be given of those two canons of the council of Eliberis, which so much trouble interpreters: the one of which forbids the lighting[75] wax candles by day in the cemeteries or burying-places of the martyrs, for fear of disquieting the spirits of the saints, under the penalty of excommunication; and the other[76] prohibits the setting up of lamps in public, under the same penalty of being cast out of the communion of the church. Albaspiny thinks these orders were made upon a mistaken notion, that the souls of the martyrs were still waiting under the altars; which, he says, was the opinion of Cyprian[77] and Tertullian. But it is more probable, that the council forbade these rites upon another ground, because they were superstitious and idolatrous rites used by the heathen in their solemnities, as is expressly said by Tertullian[78] and many others collected by Baronius.[79] And this seems to be the true reason why the council forbade them, that Christians might not symbolize with the heathens in such superstitious practices. But to proceed, the heathen festivals are known in the civil law under the general name of *vota*, and *votorum celebritas*, solemn days of prayer and worship of their gods. And, as Gothofred[80] has accurately distinguished them, they comprised, 1. All their *ludi*, or days of public shows, which were in honour of their gods. Among which the *maiuma* is very famous, there being a title in the Theodosian Code[81] concerning the permission and regulation

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vari de afflatu idololatriæ, quæ intervenit. Causæ enim sunt considerandæ, quibus præstatur officium. Eas mundas esse opinor per semetipsas, quia neque vestitus virilis, neque annulus, aut conjunctio maritalis de alicujus idoli honore descendit.

[72] Conc. Ancyr. can. 7.

[73] Conc. Laodic. can. 39. Οὐ δεῖ τοῖς ἔθνεσι συνεορτάζειν καὶ κοινωνεῖν τῇ ἀθεότητι αὐτῶν.

[74] Canon. Apost. 71.

[75] Conc. Eliber. can. 34. Cereos per diem placuit in cœmeterio non incendi. Inquietandi enim sanctorum spiritus non sunt. Qui hæc non observaverint, arceantur ab ecclesiæ communione.

[76] Ibid. can. 37. Prohibendi etiam ne lucernas publice accendant. Si facere contra interdictum voluerint, abstineant a communione.

[77] Cypr. de Lapsis. De Bono Patientiæ. Tertul. de Resur. Carnis, cap. 25. De Anima, cap. 8. Contra Gnosticos, cap. 11.

[78] Tertul. Apol. cap. 35 et 46. De Idololat. cap. 15.

[79] Baron. an. 58. n. 72.

[80] Gothof. in Cod. Theod. lib. 16. Tit. 10. De Paganis, Leg. 8.

[81] Cod. Theod. De Maiuma, lib. 15. Tit. 6.

of it under the Christian emperors, till at last it was finally put down by Arcadius. 2. Their other days of public feasting. 3. The kalends of January, or beginning of the new year. Against the superstitious observation of which there are frequent invectives in the writings of the ancients, particularly in St. Ambrose,[82] Asterius Amasenus,[83] and Prudentius.[84] 4. The third of January, which was a noted festival, or day of heathen devotion for the emperor's safety. Among these may be also reckoned their *bromialia*, forbidden by the council of Trullo;[85] and the *neomenia*, or new moons, against which St. Chrysostom has a whole discourse to dissuade Christians from the observation of them; where he particularly inveighs[86] against the impious superstition that was still reigning in men's hearts as the relics of paganism. For they were superstitiously addicted to observation of times, and made divination and conjectures upon them; as, if they spent the new moon of such a month in mirth and pleasure, the whole year following would be prosperous and lucky to them. So both men and women gave themselves to intemperance and excess on these days, out of this diabolical persuasion, as he justly terms it, that the good or bad fortune of the rest of the year depended upon such an ominous beginning of it; which was the devil's invention, to ruin the practice of all virtue. He observes further, That[87] they were used, in the celebration of these times, to set up lamps in the market-place, and crown their doors with garlands, which he condemns together with their superstition and intemperance, as a mixture of diabolical pomp and childish folly. By which we see how prone men were to follow the heathen in such practices, even when they were delivered both from their ignorance and compulsion; and much more, may we suppose, were they under a temptation to comply with them in the observation of their festivals, whilst they were under the terror of their laws and violent persecutions. Nay, even in St. Austin's time the heathen were so insolent in Africa, as to compel the Christians to observe their festivals; of which the African fathers in the fifth council of Carthage[88] were forced to complain to the emperor Honorius, and petition him, by his authority, to redress the grievance: they represent to him, how the pagans, in many places, not only kept their superstitious feasts themselves, but forced the Christians to join with them; so that it looked like a secret persecution under Christian emperors; wherefore they desired him to make a law to prohibit them both in city and country, and restrain them by some suitable penalty inflicted on them. Which, at first, Honorius refused to grant, but afterward he complied with their request upon more mature deliberation. The law is still extant in the Theodosian Code,[89] forbidding all holding of feasts or other solemnities in temples in honour of the gods; and enjoining all bishops and judges of the provinces to take care of the execution of it. Yet this did not so root out the superstition, but that many heathens still continued in it; and some looser Christians were ready enough either to join with the heathen in their practices, or at least to imitate the luxury and vanity of them under the notion of Christian observations. St. Austin makes a bitter complaint in one of his epistles[90] of the insolence of the heathen immediately after the publishing of this law; how, upon one of their festivals on the kalends of June, they came dancing in a petulant manner before the doors of the church: which when the clergy endeavoured to prohibit, they stoned the church; and when the bishop complained to the judges, they stoned it again, and a third time, setting fire to the houses belonging to the church, and killing some of the clergy, and causing others to fly for their lives. An insolent and daring attempt, not to be paralleled by any thing, he says, that was done in the time of Julian! And what was worse than all, no one of the magistrates or chief men of the place either offered to quell the riot, or give any assistance to the sufferers, except a stranger of some authority, who delivered many of the servants of God out of their hands, whilst the rest only looked on the abuse with pleasure, and some of them were strongly suspected as working underhand to excite this tumult and set the heathen upon them, being grieved at this new law which laid a restraint upon these festivals, in which they were wont to take so much pleasure: which shows how deeply the love of these heathen festivals was rooted in the hearts of many carnal and libertine Christians. In another epistle he makes as sad a complaint to Aurelius,

[82] Ambros. Serm. 17.

[83] Aster. Hom. 4. De Festo Kalendarum.

[84] Prudent. cont. Symmachum, lib. 1.

[85] Conc. Trull. can. 62 et 65.

[86] Chrys. Hom. 23. in eos qui Novilunia observant, t. 1. p. 297.

[87] Chrys. ibid. p. 300.

[88] Conc. Carth. 5. can. 5. Illud etiam petendum, ut quoniam contra præcepta Divina, convivia multis locis exercentur, quæ ab errore Gentili attracta sunt, ita ut nunc a paganis Christiani ad hæc celebranda cogantur, ex qua re temporibus Christianorum imperatorum persecutio altera fieri occulte videatur, vetari talia jubeant, et de civitatibus, et de possessionibus imposita pœna prohibere, &c. Vid. Cod. Afr. can. 63.

[89] Cod. Theod. lib. 16. Tit. 10. De Paganis, Leg. 19. Non liceat omnino in bonorem sacrilegi ritus funestioribus locis exercere convivia, &c.

[90] Aug. Ep. 202. ad Nectarium. Contra recentissimas leges kalendis Juniis festo paganorum sacrilega solennitas agitata est, nemine prohibente, tam insolenti ausu, ut quod nec Juliani temporibus factum est, petulantissima turba saltantium in eodem prorsus vico ante fores transiret ecclesiæ, &c.

bishop of Carthage[91] of the intemperance and debauchery which many such Christians were wont to commit upon the festivals of their own martyrs, and other anniversary commemorations of their deceased friends; which was only acting all the impurity of the heathen festivals under the name of Christian. He prays him therefore to take some method, to drive away such profane and sacrilegious impurities from the house of God.[92] But he thinks this could not be done by any rough methods, or in any imperious way, but by instruction rather than commanding; and by admonition rather than threatening: for that was the only way[93] to deal with a multitude; the severity of discipline was only to be exercised upon sinners when their numbers were small. This is a grievous complaint indeed, and he often repeats it in other places:[94] which shows how close the superstition and pleasure of the heathen festivals stuck to the hearts of many ignorant and carnal men, even after they became Christian: and their multitudes in Africa were so great, that though their crimes deserved the severity of excommunication, yet St. Austin in such circumstances could not think that the proper remedy to cure the distemper. St. Ambrose and other Italian bishops, he says, did happily root out this evil custom, and that was some ground to hope it might be effected in Africa: but yet long after this we find the complaint renewed against Christians retaining the relics of heathen superstition in this matter of observing festivals. For the council of Trullo has a canon[95] that forbids the observation of the *kalends*, and the *bota*, and the *brumalia*, and the solemnity of the first of March, or May, (as different copies read it,) and the public dancings, and other ceremonies used by men and women, as handed down by ancient custom under the names of the heathen false gods: prohibiting likewise the interchanging of habits in men and women, and wearing of comical and tragical masks, and satyrical dresses, and calling upon the name of Bacchus in treading the wine-press, with some other such ridiculous vanities, proceeding from the imposture of the devil. The *kalends* here signify the first of January. The *bota* is explained by Balzamon, and others who follow him, the feast of the god Pan, because *βοτά* signifies sheep: but Gothofred[96] and Suicerus[97] more judiciously render it *vota*, it being only the Latin name *vota* turned into Greek, and denoting the heathen festival on the third of January for the safety of the emperor. The *brumalia* is by Balzamon understood of the feast of Bacchus: but it may be better explained from Tertullian, who among many other heathen festivals, which some Christians were very much inclined to observe, reckons the *brumæ*, or *brumalia*; and objects it[98] by way of reproach to such Christians, That they were not so true to their religion, as the heathens were to theirs; for the heathens would never observe any Christian solemnity, either the Lord's day, or Pentecost, or any other: they will not communicate with us in these things; for they are afraid of being thought Christians; but we are not afraid of being thought heathens, whilst we celebrate their *Saturnalia*, and *Januariæ*, and *brumæ*, and *matronales*, and mutually send presents and new-year's gifts, and observe their sports and feasts. Where, by the *brumæ*, learned men[99] understand, not the feasts of Bacchus, but the festivals of the winter solstice, properly called *bruma*, from which they made a conjecture, whether the remainder of winter would prove fortunate to them or not. This superstition, being a relic of old paganism, continued in the minds of many Christians to the time of the council of Trullo, anno 692. Which was the reason why this council forbade it, with many other observations of the like nature, under the penalty of excommunication; which, as we have seen, was always the punishment of such crimes, except when the multitude of offenders (as St. Austin says) made it impossible to exercise the severity of ecclesiastical discipline upon them.

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[91] Aug. Ep. 64. ad Aurelium. Comessationes et ebrietates ita concessæ et licitæ putantur, ut in honorem etiam beatissimorum martyrum, non solum per dies solennes, quod ipsum quis non lugendum videat, qui hæc non carnis oculis inspicit, sed etiam quotidie celebrentur.——Istæ in cœmeteriis ebrietates et luxuriosa convivia, non solum honores martyrum a carnali et imperita plebe credi solent, sed etiam solatia mortuorum.

[92] Ibid. Saltem de sanctorum corporum sepulchris, saltem de locis sacramentorum, de domibus orationum tantum dedecus arceatur.

[93] Ibid. Non aspere, quantum existimo, non duriter, non modo imperioso ista tolluntur, magis docendo quam jubendo; magis monendo quam minando. Sic enim agendum est cum multitudine; severitas autem exercenda est in peccata paucorum.

[94] Aug. cont. Faustum, lib. 20. cap. 21. De Civ. Dei, lib. 8. cap. 27.

[95] Conc. Trull. can. 62. Τὰς λεγομένας καλάνδας, καὶ τὰ λεγόμενα Βοτὰ, καὶ τὰ καλούμενα Βρουμάλια, καὶ τὴν ἐν τῇ πρώτῃ τοῦ Μαρτίου μηνὸς ἐπιτελουμένην πανήγυριν, καθάπαξ ἐκ τῆς τῶν πιστῶν πολιτείας περιαιρεθῆναι βουλόμεθα, κ.τ.λ.

[96] Gothofr. in Cod. Theod. lib. 16. Tit. 10. De Paganis, Leg. 8. p. 270.

[97] Suicer. Thesaur. Eccles. t. 1. p. 706. It. Casaubon et Reinesius, ibidem.

[98] Tertul. de Idol. cap. 14. Saturnalia, et Januariæ, et brumæ, et matronales frequentantur, munera commeant, strenæ consonant, lusus, convivia constrepunt. O melior fides nationum in suam sectam: quæ nullam solennitatem Christianorum sibi vindicat, non Dominicum diem, non Pentecosten. Etiamsi nossent, non communicassent; timerent enim ne Christiani viderentur. Nos, ne ethnici pronunciemur, non veremur. It. cap. 10. Etiam strenæ captandæ et Septimontium et Brumæ, &c.

[99] Vid. Junium in loc. et Hospinian. de Festis Ethnicorum, cap. 28. p. 127.

Sect. 18. Of the idolatry of worshipping angels, saints, martyrs, images, &c.

I take no notice here of the idolatry that might be committed in the worship of angels, or saints and martyrs, or the Virgin Mary, or images, or the eucharist, because I have had occasion before to speak more at large of these in several parts[100] of this work. And it will be sufficient here only to observe in general, that none but professed heretics were ever accused of this sort of idolatry in the primitive ages, such as the *angelici* for worshipping angels, and the Simonians and Carpocratians for worshipping images, and the Collyridians for worshipping the Virgin Mary: and these being heretics by profession, there is no question but that the censures of the church were inflicted on them, and all such as adhered to or went over to them; which is sufficient to remark here for explaining and confirming the exercise of discipline in the church.

Sect. 19. Of encouragers of idolatry, and connivers at it.

There is but one thing more to be noted concerning the practice of idolatry, which is, that all favourers and encouragers of idolatry were equally reputed guilty of the crime with idolaters themselves, as partaking in their sin. If a master sent his servant to sacrifice for him, the act was the servant's, but the guilt rebounded on the master's head, as the principal author of it, as we have seen before in the case of the *libellatici*, who employed their servants to sacrifice for them. If a judge who was obliged by his office to extirpate idolatry, when the laws gave him authority and power to do it, did either publicly neglect his duty, or secretly connive at the practice of idolaters, he was reputed guilty of the crime by participation. Thus St. Austin charges the magistrates of a certain city as criminals in this respect,[101] That when the laws had empowered them to root out all the remainders of idolatry, they were negligent and remiss in putting them in execution: though the laws themselves, to which[102] he refers, had laid a penalty of twenty pounds of gold upon any judge, or officer belonging to him, if by any dissimulation of theirs the force of the law, prohibiting heathen festivals, was fraudulently evaded. So before idolatry was forbidden by the imperial laws, whilst, under the countenance of heathen emperors, it rode triumphant, Christians were obliged not only to abstain from sacrificing themselves, but to lend no helping hand by their authority to the sacrifices; not to make a trade of selling victims; not to be a guardian or curator of any temple, or collector of their revenues; not to exhibit the public games and shows, either at his own expense or the expense of the public, or so much as preside in them when they were acted; not to use any of their solemn words or forms peculiar to idolatrous worship, nor to swear by the names of their gods: all which Tertullian remarks, and puts together in one place;[103] giving this as a reason why a Christian under a heathen government could not safely take upon him the office of a judge; because that post would oblige him to countenance idolatry, either by his authority, or some other of those ways, which he could not do without injuring his conscience and doing violence to the laws of his own religion, which do not allow a man to help forward the practice of idolatry in others. And for this reason the council of Eliberis[104] made an order, that no possessors or landlords should allow of any thing that was brought in their accounts by their managers or tenants, as given to an idol, under the penalty of five years' suspension from the communion. And in another canon[105] they order all masters to prohibit their servants from retaining any idols in their houses, as far as lay in their power; or if they could not do this in times of persecution, for fear their servants should use some violence toward them, that is, inform against them or betray them, they should at least keep themselves pure, or otherwise be cast out of the church. In times of peace they were to carry their power a little further; for, by a rule of the second council of Arles,[106] after laws were made by the state to prohibit and root out idolatry, every presbyter within his own territory or district, was to prosecute all infidels that still continued to light torches to idols, or worship trees, or fountains, or stones, under the penalty of being himself reputed guilty of sacrilege, if he neglected so to do. And every lord or governor of the place, who, upon admonition, should refuse to correct such errors in those under his command, was

[100] See Book VIII. chap. 8. Book XIII. chap. 3.

[101] Aug. Ep. 202.

[102] Cod. Theod. lib. 16. Tit. 10. De Paganis, Leg. 19. Judices autem viginti librarum auri pœna constringimus, et pari forma officia eorum, si hæc eorum fuerint dissimulatione neglecta.

[103] Tertul. de Idol. cap. 17. Neque sacrificet, neque sacrificiis auctoritatem suam accommodet, non hostias locet, non curas templorum deleget, non vectigalia eorum procuret, non spectacula edat de suo aut de publico, aut edendis præsit: nihil solenne pronunciet vel edicet, ne juret quidem.

[104] Conc. Eliber. can. 40. Prohiberi placuit, ut cum rationes suas accipiunt possessores, quicquid ad idolum datum fuerit, acceptum non referant; si post interdictum fecerint, per quinquennii spacia temporum a communione esse arcendos.

[105] Ibid. can. 41. Admoneri placuit fideles, ut in quantum possint, prohibeant, ne idola in domibus suis habeant: si vero vim metuunt servorum, vel seipsos puros conservent; si non fecerint, alieni ab ecclesia habeantur.

[106] Conc. Arelat. 2. can. 23. Si in alicujus presbyteri territorio infideles aut faculas accenderint, aut arbores, fontes vel saxa venerentur: si hæc eruere neglexerit, sacrilegii se esse reum cognoscat. Dominus autem vel ordinator rei ipsius, si admonitus emendare noluerit, communione privetur.

to be deprived of the communion. By another canon of the council of Eliberis,[107] all persons, both men and women, are prohibited to lend any heathen their clothes and apparel to set off the secular pomp, under the penalty of three years' suspension from the communion: where, by the secular pomp, it is most reasonable to understand the idolatrous ceremonies of the heathen on their public festivals. But there is one case peculiarly guarded against in that council, because many well-meaning Christians, in a mistaken zeal against idolatry, were apt to run in a contrary extreme, and think themselves obliged to break and deface idols wherever they found them: to correct which error the council[108] was forced to make another decree to forbid this unwarrantable practice, and to order, That if any one was slain in such a fact, he should not be enrolled in the catalogue of martyrs: because the gospel gives no such command, neither do we find it ever practised by the apostles. This observation of the council concerning the practice of the apostles seems to be very just. For whatever zeal they had against idolatry, we never read that they went in a tumultuous way into the heathen temples to demolish their idols; but rather the contrary character is given them by the testimony of the very heathen. Of which we have an illustrious instance in the apology which the town clerk of Ephesus made for Paul and his companions, when they were accused by Demetrius and the craftsmen who made silver shrines for Diana, as if they had done violence to her temple, and to the image which fell down from Jupiter: "Ye have brought hither these men," says he, "which are neither robbers of churches, not yet blasphemers of your goddess," Acts xix. 37.

It is true, indeed, Eulalia the martyr had done some such thing not long before in Spain: but the council would not have her action, which might be done by a peculiar impulse of the Spirit, drawn into example; because it was an unnecessary provocation of the heathen, and prejudicial to the church, without any warrant from Scripture; which bids men confess Christ when they are called to do it, but not to provoke the enemy by an imprudent zeal, when there is no just reason for it. And this is what Cyprian before them had always taught his people both by his preaching and his writing, That they[109] should raise no tumults, nor offer themselves of their own accord to the Gentiles; but when they were apprehended and delivered up to the magistrate, then to speak what the Lord put into their hearts in that hour, who would have us to confess him when called to do it, but not rashly put ourselves upon it. Thus the ancients, in this matter of idolatry, the great crime of that age, steered their discipline with an even course, keeping a just medium between two extremes; neither allowing any sinful compliance or communication with it, nor encouraging any indiscreet and over-zealous opposition to it. And if Tertullian in the former case has stretched the matter a little too far; as when he determines it to be a species and smatch of idolatry for a schoolmaster to teach the names of the heathen gods to his scholars, or for a Christian to bear arms, or fly in time of persecution; it is easy to account for these singularities, knowing out of what school they came, and that they were not the dictates of the Spirit of Christ, but the spirit of Montanus: and it is a sufficient answer to any such pretences, that we meet with no such dogmatical assertions in purer writers, nor any such rules in ecclesiastical discipline, nor any such over-bearing custom in the church of God. I have been the more curious in stating the sense of the ancients upon these several questions, both because they are useful to explain the discipline of the church, and also because they may have their use when applied to other cases; and it is not very common to find the subject of idolatry treated of in this way by modern authors.

CHAPTER V.

OF THE PRACTICE OF CURIOUS AND FORBIDDEN ARTS, DIVINATION, MAGIC, AND ENCHANTMENT: AND OF THE LAWS OF THE CHURCH MADE FOR THE PUNISHMENT OF THEM.

Sect. 1. Of the several sorts of divination. Particularly of astrology.

Another great crime against religion was, the practice of curious and forbidden arts, which are almost innumerable, from the great and various inclination of men to superstition. I shall sum them up under three general names, divination, magic, and enchantment. Divination comprehends all the arts and ways of discovering secrets, or foretelling future events, not knowable by any rules of nature; magic, all the arts of mischievous operations by secret and unknown means, which is commonly called sorcery, and, by the Latins, *veneficium*

[107] Conc. Eliber. can. 57. Matronæ vel earum mariti vestimenta sua ad ornandam seculariter pompam non dent. Et si fecerint, triennii tempore abstineant.

[108] Ibid. can. 60. Si quis idola fregerit, et ibidem fuerit occisus; quoniam in evangelio non est scriptum, neque invenitur ab apostolis unquam factum; placuit in numerum eum non recipi martyrum.

[109] Cypr. Ep. 81. al. 83. p. 239. Secundum quod me tractante sæpissime didicistis, quietem et tranquillitatem tenete: ne quisquam vestrum aliquem tumultum de fratribus moveat, aut ultro se Gentilibus offerat, &c. Siquidem Dominus nos confiteri magis voluit, quam (temere) profiteri.

and *maleficium*, from poisoning and doing mischief; enchantment chiefly relates to a pretended skill and power of doing good, as of curing diseases by certain charms, and words, and signs, and amulets, which has made it the more agreeable to weak and superstitious persons, because it has a pretence and show of being useful and beneficial to mankind. Among the several species of divination, one of the most noted and infamous was that of astrology, or the pretence of discovering secrets by the position and motion of the stars. Men who professed this art, are commonly called *mathematici*, drawers of schemes and calculations; under which name they are condemned in both the Codes.[1] And they were infamous, not only under the Christian administration, but also under the old Romans. For there is a law of Diocletian[2] in the Justinian Code, which allows the art of geometry as a useful science, but forbids the *ars mathematica*, the astrologer's art, as a damnable practice. And Tacitus[3] says, There were decrees of the senate made in the reign of Tiberius, for expelling all the astrologers and magicians out of Italy: but he likewise observes,[4] that they were a sort of men, which were always forbidden, and yet always retained; for though they were deceitful and fallacious to great men, yet they still had an inclination now and then upon occasion to consult them. Their expulsion out of Italy is also noted by Suetonius, as done twice[5] in the reigns of Tiberius and Vitellius. Upon which Tertullian,[6] in a smart and elegant way, tells some Christians, who pleaded for a toleration of themselves in the profession of this wicked art, That astrologers were expelled out of Italy and Rome, as their angels were out of heaven: the same penalty of banishment was inflicted on the scholars, as had been on their masters before them. Now, then, the laws of the state, both heathen and Christian, being thus severe against them, it was but reasonable that the censures of the church should be as sharp upon them, because they were a species of idolaters, and owed the original of their art to the invention of wicked angels. For this reason the Constitutions[7] put astrologers into the black list of such as were to be rejected from baptism, unless they would promise to renounce their profession. The first council of Toledo[8] condemns the Priscillianists with anathema for the practice of it. For we must know, that the Priscillianists ascribed all to fate and the necessary influence of the stars, as St. Austin informs us: They asserted that men were bound to fatal stars,[9] and that our bodies were compounded according to the order of the twelve signs of the zodiac, as they who are commonly called *mathematici*, or astrologers, maintain, appointing Aries for the head, Taurus for the neck, Gemini for the shoulders, Cancer for the breast, and so running through the other signs, till they came to the feet, which they attributed to Pisces, which is the last sign in the astrologers' computation. Leo,[10] in one of his epistles, gives the same account of them, That they maintained that the bodies and souls of men were bound to fatal stars, by which folly men were embarrassed in the errors of the pagans, and obliged to worship those stars that were favourable to them, and appease those that were against them: but they who followed such vanities could have no place in the catholic church; for he that gives himself to such persuasions, is wholly departed from the body of Christ. Sozomen says,[11] Eusebius, bishop of Emesa, was accused of the practice of this art, and forced to fly from his bishopric upon it. He gives it indeed another name, calling it apotelesmatical astronomy; but that[12] signifies the same thing; for there were two parts of astronomy, the one teaching the nature and course of the stars, which was a lawful art; and the other, the secret effects and powers of them in their oppositions, conjunctions, &c., which effects were called their *apotelesmata*, and the art itself *apotelesmatica*, and the practisers of it anciently *apotelesmatici*, as afterwards *mathematici* and *Chaldæi*. Some think also these *apoteles-*

[1] Cod. Theod. lib. 9. Tit. 16. De Maleficis et Mathematicis.

[2] Cod. Justin. lib. 9. Tit. 38. De Malefic. et Mathemat. Leg. 2. Artem geometriæ discere atque exercere publice interest. Ars autem mathematica damnabilis est atque interdicta omnino.

[3] Tacit. Annal. lib. 2. cap. 32. Facta et de mathematicis magisque Italia pellendis senatus consulta; quorum e numero Pituanius saxo dejectus est.

[4] Idem in Hist. lib. 1. cap. 22. Mathematici, genus hominum potentibus infidum, sperantibus fallax, quod in civitate nostra et vetabitur semper, et retinebitur.

[5] Sueton. Vit. Tiber. cap. 36. Vit. Vitel. cap. 14.

[6] Tertul. de Idol. cap. 9. Urbs et Italia interdicitur mathematicis, sicut cœlum et angelis eorum, eadem pœna est exilii discipulis et magistris.

[7] Constit. lib. 8. cap. 32.

[8] Conc. Tolet. 1. in Regula Fidei cont. Priscillianistas. Si quis astrologiæ vel mathesi existimat esse credendum, anathema sit.

[9] Aug. de Hæres. cap. 70. Astruunt fatalibus stellis homines colligatos, ipsumque corpus nostrum secundum duodecim signa cœli esse compositum, sicut hi qui vulgo mathematici appellantur; constituentes in capite Arietem, Taurum in cervice, Geminos in humeris, Cancrum in pectore; et cætera nominatim signa percurrentes, ad plantas usque perveniunt, quas Piscibus tribuunt, quod ultimum signum ab astrologis nuncupatur.

[10] Leo Ep. 91. al. 93. ad Turibium, cap. 11. Fatalibus stellis et animas hominum, et corpora opinantur astringi: per quam amentiam necesse est ut homines paganorum erroribus implicati, et faventia sibi (ut putant) sidera colere, et adversantia studeant mitigare. Verum ista sectantibus nullus in ecclesia catholica locus est; quoniam qui se talibus persuasionibus dedit, a Christi corpore totus abscessit.

[11] Sozom. lib. 3. cap. 6.

[12] Justin. Respons. ad Orthodox. 24. speaks of the Telesmata of Apollonius.

mata were little figures and images of wax, made by magical art to receive the influence of the stars, and used as helps in divination.[13] So that the apotelesmatical art was the same in all respects with judicial astrology. And therefore Eusebius Emissenus was condemned for the practice of it, as an unlawful art, utterly unbecoming the character of a Christian bishop. For, by the account that has been given, it is plain, that all such kind of divination was looked upon as idolatry and paganism, as owing its original to wicked spirits, and as introducing an absolute fate and necessity upon human actions, and so taking away all freedom from human will, and making God the author of sin; which blasphemies are commonly charged upon this art by the ancients, St. Austin,[14] Lactantius,[15] Tertullian,[16] Eusebius,[17] Origen, and Bardesanes Syrus, who wrote particular dissertations against it, mentioned by Eusebius, who gives some extracts out of them. We may note further out of St. Austin, that these astrologers had sometimes the name of *genethliaci*,[18] from pretending to calculate men's nativities by erecting schemes and horoscopes, as they called them, to know what position the stars were in at their birth, and thence prognosticate their good or bad fortune, or any accidents of their life, by the conjunction of the stars they were born under. And because some of these pretended to determine positively of the lives and deaths of kings, which was reputed a very dangerous piece of treason; therefore the laws of the state were more severe against them even under the heathen emperors, as Gothofred shows out[19] of the ancient lawyers, Ulpian and Paulus: and that was another reason why the church thought it proper to animadvert upon these with the utmost severity of ecclesiastical censures; as thinking that what the heathen laws had punished as a capital crime, ought not to pass unregarded in the discipline of the Christian church. It was this crime that expelled Aquila from the church. For Epiphanius says,[20] He was once a Christian; but being incorrigibly bent upon the practice of astrology, the church cast him out; and then he became a Jew, and in revenge set upon a new translation of the Bible, to corrupt those texts which had any relation to the coming of Christ. St. Austin[21] gives a famous instance of an astrologer, who, being excommunicated for his crimes, afterwards became a penitent, and was reconciled to the church by his ministerial absolution. The sum of his crimes was this: he taught the fatal influence of the stars, that it was Venus that made a man commit adultery, and not his own will; and that it was Mars, and not his own will, that made him commit murder; and that if any man was righteous, it was not from God, but from the influence of Jupiter, a star so called in the heavens. And by this art he had defrauded many people of their money; but at last he became a convert, and upon his confession and repentance, was received into the church again, to lay communion, but for ever denied all promotion among the clergy. By which one instance, we may judge of the greatness of the crime, and the proceedings of the church against such offenders.

Sect. 2. Of augury and soothsaying.

Another sort of divination was, that which was called augury and soothsaying. Which was committed several ways. Sometimes by observing several signs and appearances in the entrails of the sacrifices, which was properly called *aruspicina* and *haruspicium*. Sometimes by observations made upon the motion, or flying, or singing of birds, which was called augury, in the strictest sense. Sometimes by remarks made upon the voice of men, or their sneezing, which was called an omen, and the thing reputed ominous. Sometimes by observing certain signs in the figure and lineaments of the body; as in the hands, which was called chiromancy; or in the face and forehead, which was called *μετωποσκοπία*, or physiognomy; or in the back, called *νωτομαντεία*, with many other observations of the like nature. The old Romans were much given to these superstitions, insomuch that they had their colleges of augurs, and would neither fight, nor make war or peace, or do any thing of moment without consulting them. The squeaking of a rat was sometimes the occasion of dissolving a senate, or making a consul or a dictator[22] lay down his office, as begun with an ill omen. Now, though Christianity was a professed enemy to all such vanities, yet the remains of such superstition continued in the hearts of many after their conversion. So that the church was forced to make severe laws to restrain them. The council of Eliberis[23] makes the renunciation of this art a condition of baptism, if an augur had a

[13] Vid. Selden. de Diis Syris. Syntagma 1. cap. 2. p. 116. Spencer. De Urim et Thummim, lib. 3. c. 3. sect. 10. p. 369.

[14] Aug. de Civ. Dei, lib. 5. cap. 1, &c. De Doctrina Christ. lib. 2. cap. 21, &c.

[15] Lact. lib. 2. c. 15.

[16] Tertul. de Idol. cap. 9.

[17] Euseb. de Præpar. Evang. lib. 6. Orig. et Bardesan. ibid. cap. 10 et 11. Vid. Nyssen. de Fato. Basil. Hom. 1 et 6. in Hexamer.

[18] Aug. de Doct. Christ. lib. 2. cap. 21. Genethliaci propter natalium dierum considerationes vocantur.

[19] Gothofred. in Cod. Theod. lib. 9. Tit. 16. De Malef. et Mathematic. Leg. 2.

[20] Epiphan. de Mensur. et Ponder.

[21] Aug. de Mathematico, ad calcem Tractatus in Psal. lxi.

[22] Valer. Maxim. lib. 1. cap. 1. Occentus soricis auditus Fabio Maximo dictaturam, Caio Flaminio magisterium equitum deponendi causam præbuit.

[23] Conc. Eliber. can. 62. Si augur aut pantomimi credere voluerint, placuit, ut prius artibus suis renuncient, et tunc demum suscipiantur, ita ut ulterius non revertantur. Quod si facere contra interdictum tentaverint, projiciantur ab ecclesia.

mind to be baptized; and if afterward he returned to the practice of it, he was to be cast out of the church. Which is also the rule in the Apostolical Constitutions,[24] and the councils of Agde,[25] Vannes,[26] Orleans,[27] and several others. The Constitutions not only censure astrologers, magicians, and enchanters, but also wandering fortune-tellers, augurs, and soothsayers, observers of signs and omens, interpreters of palpitations, observers of accidents in meeting others, and making divination upon them, as upon a blemish in the eye, or in the foot, observers of the motion of birds or weasels, observers of voices and symbolical sounds.

Sect. 3. Of divination by lots.

And it is observable, that in the French councils last mentioned, there is a peculiar sort of augury condemned under the name of *sortes sacræ*, divination by holy lots; which was a piece of new superstition grafted upon an old stock, and introduced with a more specious show in the room of a heathen practice. For the heathens were used to divine by a sort of lots, which they called *sortes Virgilianæ;* which was done by a casual opening of the book of Virgil, and then the first verses that appeared were taken and interpreted into an oracle. Thus Spartian says,[28] Hadrian had the empire prognosticated to him by drawing his lots out of Virgil; for the first words that appeared, *Missus in imperium magnum*, portended that he should become the Roman emperor. And so Lampridius,[29] in the Life of Alexander Severus, says, That emperor also understood by this sort of divining lots out of another verse of Virgil, that he should obtain the government of the Roman empire. Now, many superstitious Christians were of opinion, that this sort of divination might be much better made by using the Holy Scriptures after the same manner, and to the same purpose; and therefore, as the heathen used Virgil, so they used the Bible, to learn their fortune by sacred lots, as they called them, taking the first passage that presented itself to make their divination and conjecture upon: and it appears, that some of the inferior clergy, out of a base spirit, and love of filthy lucre, encouraged this practice, and made a trade of it in the French church; whence the Gallican councils are very frequent in the condemnation of it. The council of Agde[30] takes notice, That some of the clergy and laity followed after soothsaying, to the great detriment of the catholic religion; and, under the name of feigned religion, professed the art of divination, by what they called the lots of the saints, making use of a casual inspection of the Scriptures to divine futurities by. It is decreed therefore, "That whoever of the clergy or laity should be detected in the practice of this art, either as consulting or teaching it, should be cast out of the communion of the church." This had been decreed about sixty years before in the council of Vannes, anno 465, in the very same words. And the first council of Orleans,[31] about five years after the council of Agde, repeats the decree with a very little variation. But the practice continued for all this: for Gregory of Tours[32] says, Kramnus, the son of King Clotharius, consulted the clergy of Dijon upon some points, and they gave him an answer by this sort of divination. Some reckon St. Austin's conversion owing to such a sort of consultation: but the thought is a great mistake, and very injurious to him; for his conversion was owing to a providential call, like that of St. Paul from heaven. He says,[33] He heard a voice he knew not whence, saying, *Tolle lege, Tolle lege*, Take up the Bible and read: which he did, and the first words he chanced to cast his eye upon were those of St. Paul, Rom. xiii. "Let us walk honestly as in the day; not in rioting and drunkenness, not in chambering and wantonness, not in strife and envying: but put ye on the Lord Jesus Christ, and make not provision for the flesh, to fulfil the lusts thereof." Which words being apposite to his case, he looked upon them as spoken directly to himself, and accordingly applied them to his own condition: and so by God's providence they became the means of fixing him in that piety, purity, and sobriety, for which he was after so famous in the world. Here was nothing of divination in all this; but a seasonable application of a proper passage to himself, as he says St. Anthony had made of those words of our Saviour, "Go, sell all that thou hast, and give to the poor, and thou shalt have treasure in heaven, and come follow me." Which he took as an oracle spoken immediately to himself, and they were the occasion of his turning to the Lord. As to any other use of the Scripture for divination, St. Austin was an enemy to it, and expresses himself against it, reflecting on some who used it to that purpose: As for

[24] Constit. lib. 8. cap. 32. [25] Conc. Agathen. can. 42.

[26] Conc. Venetic. can. 16.

[27] Conc. Aurel. 1. can. 30.

[28] Spartian. Vit. Hadrian. p. 5. Cum Virgilianas sortes consuleret, &c.

[29] Lamprid. Vit. Alexand. p. 341. Virgilii sortibus hujusmodi illustratus est, Tu regere imperio populos Romane memento, &c.

[30] Conc. Agathen. can. 42. Quod maxime fidem catholicæ religionis infestat, aliquanti clerici sive laici student auguriis, et sub nomine fictæ religionis, per eas quas sanctorum sortes vocant, divinationis scientiam profitentur, aut quarumcunque Scripturarum inspectione futura promittunt. Hoc quicunque clericus vel laicus detectus fuerit vel consulere vel docere, ab ecclesia habeatur extraneus.

[31] Conc. Veneticum, can. 16. Conc. Aurel. 1. can. 30. Siquis clericus, monachus, vel secularis, divinationem vel auguria crediderit observanda, vel sortes (quas mentiuntur esse sanctorum) quibuscunque putaverint intimandas, cum his qui eis crediderint, ab ecclesiæ communione pellantur.

[32] Greg. Turon. Hist. lib. 4. cap. 16.

[33] Aug. Confess. lib. 8. cap. 12.

those,[34] says he, who divine by lots out of the Gospel, though it be more desirable they should do this, than run to ask counsel of devils; yet I am displeased at this custom, which turns the Divine oracles, which speak of things belonging to another life, to the business of this world, and the vanities of the present life. By which it is plain, he looked upon this sort of divination as a great abuse of the gospel, though not so bad as going directly to consult devils. As for those which are commonly called divisory lots, there is no harm in them, when applied to things in our own power; as to dividing of lands by lot, or determining in an army who shall first invade the enemy; or in time of a plague or persecution, what ministers shall stay in a city to take care of the church; which is a case particularly mentioned by St. Austin,[35] and allowed as lawful. So a prince may distribute his punishments by lot, when he is minded to spare some criminals and punish others. And when there are two objects of charity in equal circumstances, and we cannot relieve both, St. Austin[36] thinks there is no harm in casting lots to determine which of them shall have our charity. And there are many other indifferent cases of the like nature, in which lots may be used without any prejudice to religion. And therefore the church never made any laws to forbid or censure them, save only in disposing of ecclesiastical offices, and the lives of men, which are too sacred to be committed to mere chance or lots without some special Divine direction, as in the case of Matthias and Jonas, which St. Jerom[37] says are not to be drawn into example; because special privileges cannot make a common or general law for all cases: and it is plain, that without such special direction, lots of that kind will be matter of mere chance, or else pure divination.

Sect. 4. Of divination by express compact with Satan.

There were some other ways of divination far more abominable than the former, because they were done by express compact with the devil, and always implied his concurrence and assistance. Sometimes he gave answers by his images and idols, which were called oracles. Sometimes by speaking in his prophets, whom he possessed, who were called *pythonici* and *pythonissæ*, possessed with a familiar, or spirit of divination, and ἐγγαστριμύθοι, because they spake out of the belly by the navel. Sometimes men used certain ceremonies in sleeping, in such a posture, in a temple, in the skins of the sacrifices, &c., to receive his impressions and answers by dreams, which was called ὀνειρομαντεία. Sometimes he gave answers by spectres and appearances from the dead, as he did to Saul by the witch of Endor. This they properly called necromancy, that is, divination by the dead. Sometimes he spake by the skull of a dead man, called κρανιομαντεία. Sometimes he gave answers by certain signs and figures made in the earth, or water, or air, or fire, or a glass, or a riddle, and a thousand other ways of imposture, either by real appearances, or by deluding the imagination. The names of which and the transactions may be seen in Delrio,[38] or Lessius,[39] or Du Moulin,[40] who treat more particularly of them. That which is to our present purpose, is only to observe, that as this crime had in it a mixture of idolatry, heresy, infidelity, apostacy, sacrilege, hypocrisy, curiosity, and ambition; each one of which was a high crime in itself; so the church was always careful to lay the heaviest censure of excommunication upon it. The general name, under which all the species of it are condemned, is μαντεία, prophesying, or divining, by Satan's inspiration. In the Constitutions,[41] among those that are to be denied baptism, the μάντεις, oracle-mongers, are particularly specified. And in the council of Ancyra,[42] those that follow after such diviners, οἱ καταμαντευόμενοι, or take them into their houses to exercise their wicked arts, are to be excluded from communion, and do five years' penance. By a law of Constantius[43] in the Theodosian Code, the *vates* and *harioli* are reckoned among others who practise forbidden arts, such as soothsayers, astrologers, augurs, Chaldeans, magicians: and both they that use such curious divinations, and they that consult them, are condemned to die, as guilty of a capital crime and offence against religion. Gothofred[44] observes, That this law is often mentioned with some regret by the heathen writers Ammianus Marcellinus, Mamertinus, and Libanius, who give

[34] Aug. Ep. 119. ad Januar. cap. 20. Hi vero qui de paginis evangelicis sortes legunt, etsi optandum est, ut hoc potius faciant, quam ut ad dæmonia consulenda concurrant, tamen etiam ista mihi displicet consuetudo, ad negotia sæcularia et ad vitæ hujus vanitatem, propter aliam vitam loquentia oracula Divina velle convertere.

[35] Aug. Ep. 180. ad Honorat. Quæ disceptatio, si aliter non potuerit terminari, quantum mihi videtur, qui maneant et qui fugiant, sorte legendi sunt.

[36] Aug. de Doct. Christ. lib. 1. c. 28.

[37] Hieron. in Joan. i. Nec statim debemus sub hoc exemplo sortibus credere, vel illud de Actibus Apostolorum huic testimonio copulare, ubi sorte in apostolatum Matthias eligitur: cum privilegia singulorum non possint facere legem communem.

[38] Delrio, Disquisit. Magicæ.

[39] Lessius de Jure et Instit. lib. 2. cap. 43. Dubit. 5.

[40] Molinæi Vates, lib. 3. cap. 6, &c.

[41] Constit. lib. 8. cap. 32.

[42] Conc. Ancyr. can. 25. Vid. Basil. can. 72.

[43] Cod. Theod. lib. 9. Tit. 16. de Malefic. et Mathematicis, Leg. 4. Nemo aruspicem consulat aut mathematicum, nemo hariolum. Augurum et vatum prava confessio conticescat. Chaldæi ac magi, et ceteri, quos maleficos ob facinorum magnitudinem vulgus appellat, nec ad hanc partem aliqui moliantur. Sileat omnibus perpetuo divinandi curiositas. Etenim supplicium capitis feret gladio ultore prostratus, quicunque jussis obsequium denegaverit.

[44] Gothofred. in loc.

some instances of Constantius's severity in putting it in execution. Constantine by a former law or two[45] had indulged the heathen in the liberty of consulting their augurs, provided they did it in public, and never put any questions concerning the state of the commonwealth or the life of the prince; which is noted also by Julius Firmicus Maternas,[46] in his books of astrology written whilst he was a heathen: but Constantius, finding great abuses made of this permission, universally prohibited all such consultations under the forementioned penalty of death: which extended not only to magicians, but to the *harioli* and the *vates;* the former of which waited on the altars, to receive their inspiration from the fumes of the sacrifices, as Tertullian[47] describes them; and the latter, the *vates*, were those who pretended to prophesy by the perpetual motion of an indwelling demon; whom therefore the Latins called *fanatici*, and the Greeks, enthusiastics, and *θεόληπτοι*, and *θεοφορούμενοι*, &c., as may be seen in Theodoret[48] and Suidas,[49] and many others. Now, because no Christian could practise this art, nor consult those that did, without direct communicating with devils, therefore the civil law made it a capital crime, and the ecclesiastical law punished it with the severest censure of excommunication.

Sect. 5. Of magical enchantment and sorcery.

Next to the superstition of divination was that of magic and sorcery; which because it commonly tended to work mischief, therefore they who gave themselves to it were usually termed *venefici* and *malefici*, because either by poison or other means of fascination they wrought pernicious effects upon others. The laws of the Theodosian Code[50] frequently brand them with this name of *malefici*. Particularly they are charged by Constantine[51] as making attempts by their wicked arts upon the lives of innocent men, and drawing others by magical potions (called *philtra* and *pharmaca*) to commit uncleanness. All such, when they are detected, are appointed to be put to death. Constantius[52] charges them further with disturbing the elements, or raising of tempests, and practising abominable arts in the evocation of the infernal spirits to assist men in destroying their enemies: whom he therefore orders to be executed, as unnatural monsters, and quite divested of the principles of humanity. And it is observable, that in all those laws of the Christian emperors, which granted indulgence to criminals at the Easter festival,[53] the *venefici* and the *malefici*, that is, magical practisers against the lives of men, are always excepted, as guilty of too heinous a crime to be comprised within the general pardon granted to other offenders. And according to these measures the laws of the church were strict and severe against all such, under whatever character or denomination they were found guilty. The council of Laodicea[54] condemns them under the name of magicians and enchanters, together with those called *mathematici* and astrologers, ordering all such to be cast out of the church. The council of Ancyra[55] forbids the art under the name of pharmacy, *φαρμάκεια*, that is, the magical art of inventing and preparing medicaments to do mischief; and five years' penance is there appointed for any one that receives a magician into his house for that purpose. St. Basil's Canons[56] condemn it under the same character of pharmacy or witchcraft, and lays thirty years' penance upon it. And the fourth council of Carthage censures it under the name of enchantment,[57] joining it with augury, and denying communion to all such as follow after either: not to mention what private writers, Origen,[58] Tertullian,[59] Hermes Pastor,[60] and many others, have said against it; Tertullian particularly observing, that there never was a magician or enchanter allowed to escape unpunished in the church.

Sect. 6. Of amulets, charms, and spells, to cure diseases.

But there was one sort of enchantment, which many ignorant and superstitious Christians, out of the remains of heathen error, much affected: that was the use of charms, and amulets, and spells, to cure diseases, or avert dangers and mischiefs, both from

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45 Cod. Theod. ibid. Leg. 1 et 2.

46 Firmic. de Mathesi sive Astronom. lib. 2. in fine.

47 Tertul. Apol. cap. 23. Qui aris inhalantes numen de nidore concipiunt.

48 Theod. Hist. lib. 4. cap. 10. *'Ενθουσιασταὶ καλοῦνται δαίμονὸς τινος ἐνέργειαν ἐκδεχόμενοι, κ.τ.λ.*

49 Suidas, voce *'Ενθοὺς.* Harmenopulus de Sectis, n. 18. de Massalianis.

50 Cod. Theod. lib. 9. Tit. 16. de Maleficiis, Leg. 6. Magus qui maleficus vulgi consuetudine nuncupatur. It. Leg. 9, 10, 11. ibid. et Tit. 38. de Indulgentiis Criminum, Leg. 1, 3, 4, 6, 7, 8.

51 Ibid. lib. 9. Tit. 16. Leg. 3. Eorum est scientia punienda, et severissimis merito legibus vindicanda, qui magicis adcincti artibus, aut contra hominum moliti salutem, aut pudicos ad libidinem defixisse animos detegentur.

52 Ibid. Leg. 5. Multi magicis artibus ausi elementa turbare, vitas insontium labefactare non dubitant, et manibus accitis audent ventilare, ut quisque suos conficiat malis artibus inimicos: hos, quoniam naturæ peregrini sunt, feralis pestis absumat.

53 Vid. Cod. Theod. lib. 9. Tit. 38. de Indulgentiis Criminum, Leg. 1, 3, 4, 6, 7, 8.

54 Conc. Laodic. can. 36. *Οὐ δεῖ ἱερατικοὺς ἢ κληρικοὺς, μάγους ἢ ἐπαοιδοὺς εἶναι, ἢ μαθηματικοὺς ἢ ἀστρολόγους, κ.τ.λ.*

55 Conc. Ancyr. can. 25.

56 Basil. can. 7 et 65.

57 Conc. Carth. 4. can. 89. Auguriis vel incantationibus servientem, a conventu ecclesiæ separandum.

58 Orig. cont. Cels. lib. 7. p. 378.

59 Tertul. de Idol. cap. 9. Post evangelium nusquam invenies aut sophistas, aut Chaldæos, aut incantatores, aut conjectores, aut magos, nisi plane punitos.

60 Hermes Past. lib. 1. Vision. 3. n. 6. Malefici quidem venena sua in pyxidibus bajulant.

themselves and the fruits of the earth. For Constantine had allowed the heathen, in the beginning of his reformation, for some time, not only to consult their augurs in public, but also to use charms by way of remedy [61] for bodily distempers, and to prevent storms of rain and hail from injuring the ripe fruits, as appears from that very law, where he condemns the other sort of magic, that tended to do mischief, to be punished with death. And probably from this indulgence granted to the heathen, many Christians, who brought a tincture of heathenism with them into their religion, might take occasion to think there was no great harm in such charms or enchantments, when the design was only to do good, and not evil. However it was, this is certain in fact, that many Christians were much inclined to this practice, and therefore made use of charms and amulets, which they called *periammata* and *phylacteria*, pendants and preservatives to secure themselves from danger, and drive away bodily distempers. These phylacteries, as they called them, were a sort of amulets made of ribands, with a text of Scripture or some other charm of words written in them, which they imagined without any natural means to be effectual remedies or preservatives against diseases. Therefore the church, to root out this superstition out of men's minds, was forced to make severe laws against it. The council of Laodicea [62] condemns clergymen that pretended to make such phylacteries, which were rather to be called bonds and fetters for their own souls, and orders all such as wore them to be cast out of the church. St. Chrysostom often mentions them with some indignation: upon those words of the psalmist, "I will rejoice in thy salvation," [63] he says, We ought not simply to desire to be saved, and delivered from evil by any means whatever, but only by God. And this I say upon the account of those who use enchantments in diseases, and seek to relieve their infirmities by other impostures. For this is not salvation, but destruction. In another place, dissuading Christians from running to the Jews, who pretended to cure diseases by such methods, he tells them, That Christians are to obey Christ, and not to fly to his enemies: though they pretend to make cures, and promise you a remedy to invite you to them, choose rather to discover their impostures, [64] their enchantments, their amulets, their witchcraft; for they pretend to work cures no other way; neither indeed do they work them truly at all, God forbid. But I will say one thing further, although they did work true cures, it were better to die than to go to the enemies of Christ, and be cured after that manner. For what profit is it, to have the body cured with the loss of our soul? What advantage, what comfort shall we get thereby, when we must shortly be sent into everlasting fire? He there proposes the example of Job, and Lazarus, and the infirm man who had waited at the pool of Bethesda thirty and eight years, who never betook themselves to any diviner, or enchanter, or juggler, or impostor; they tied no amulets nor plates to their bodies, but expected their help only from the Lord: and Lazarus chose rather to die in his sickness and sores, than betray his religion in any wise, by having recourse to those forbidden arts for cure. This he reckons a sort of martyrdom, [65] when men choose rather to die, or suffer their children to die, than make use of amulets and charms: for though they do not sacrifice their bodies with their own hands, as Abraham did his son, yet they offer a mental sacrifice to God. On the contrary, he says, the use of amulets was idolatry, though they that made a gain by it offered a thousand philosophical arguments to defend it, saying, We only pray to God, and do nothing more; and, the old woman that made them was a Christian and a believer; with other such like excuses. If thou art a believer, sign thyself with the sign of the cross: say, This is my armour, this my medicament; beside this I know no other. Suppose a physician should come, and, instead of medicines belonging to his art, should use enchantment only; would you call him a physician? No, in no wise; because we see not medicines proper to his calling: so neither are your medicines proper to the calling of a Christian. He adds, That some women put the names of rivers into their charms; and others ashes, and soot, and salt, crying out, That the child was taken with an evil eye, and a thousand ridiculous things of the like nature, which exposed Christians to the scorn of the heathen, many of whom were wiser than to hearken to any such fond impostures. Upon the whole matter he tells them, That if he found any henceforward that made amulets or charms, or did any other thing belonging to this art, he would no longer spare them: meaning, that they should feel the severity of ecclesiastical censure for such offences. In other places [66] he complains of women that made phylacteries of the Gospels to hang about

[61] Cod. Theod. lib. 9. Tit. 16. de Malefic. Leg. 3. Nullis vero criminationibus implicanda sunt remedia humanis quæsita corporibus, aut in agrestibus locis, ne maturis vindemiis metuerentur imbres, aut ruentis grandinis lapidatione quaterentur, adhibita innocenter suffragia, quibus non cujusque salus aut existimatio læderetur, sed quorum proficerent actus, ne divina munera, et labores hominum sternerentur.

[62] Conc. Laodic. can. 36.

[63] Chrys. in. Psal. ix. 15. t. 3. p. 137.

[64] Ibid. Hom. 6. cont. Judæos, t. 1. p. 56. Ἀνακάλυψον αὐτῶν τὰς μαγγανείας, τὰς ἐπωδὰς, τὰ περιάμματα, τὰς φαρμακείας, κ.τ.λ.

[65] Ibid. Hom. 8. in Colos. p. 1374. Ἐνόσησεν, οὐκ ἐποίησε περιαπτα, μαρτύριον αὐτῇ λογίζεται.

[66] Ibid. Hom. 73. in Mat. p. 627.

their necks. And the like complaints are made by St. Basil,[67] and Epiphanius.[68] Which shows that this piece of superstition, of trying to cure diseases without physic, was deeply rooted in the hearts of many Christians.

The church, indeed, often cured diseases without physic, but then it was in the same way that she dispossessed devils, and wrought many miracles for the good of the world, by the power of Christ, and invocation of his name. She did nothing, as Irenæus[69] says, by invocation of angels, or enchantment, or any other curiosity, but by directing her prayers, pure and clean, and openly, to the God that made all things; and by invocating the name of the Lord Jesus Christ, she wrought miracles for the benefit of men, and not for their seduction. This was the difference between heretics and the church: heretics commonly made use of enchantment, as is noted particularly by Irenæus concerning the Basilidians,[70] who had their images, which they used as amulets, having the name of *abraxas* or *abracadabra*, or, as Baronius[71] thinks, the names of their three hundred and sixty-five heavens, answering to the like number of members in human bodies, written upon them. And St. Austin complains that some of Satan's instruments, who professed the exercise of these arts, were used to set the name of Christ[72] before their ligatures, and enchantments, and other devices, to seduce Christians, and induce them to take the venomous bait under the covert of a sweet and honey potion, that the bitter might lie hid under the sweet, and make men drink it without discerning, to their destruction. To such he gives this advice, to seek Christ only in the way which he has appointed. When we are afflicted with pains in our head, let us not run to enchanters and fortune-tellers, and remedies of vanity. I mourn for you, my brethren: for I daily find these things done. And what shall I do? I cannot yet persuade Christians to put their trust only in Christ. With what face can such a soul go unto God, that has lost the sign of Christ, and taken upon him the sign of the devil? In another place, he bids them,[73] when they are sick, to receive the body and blood of Christ, and anoint themselves with that unction, which may prove beneficial both to body and soul. For, when they may have a double advantage in the church, why should miserable men endeavour to bring upon themselves such multiplicity of evils by running to enchanters, and fountains, and trees, and diabolical phylacteries, and characters, and soothsayers, and diviners, and fortune-tellers? He mentions many other superstitions of the like nature, which were the remains of heathenism, such as the sacrilegious custom used about the hind, their crying out when the moon was eclipsed to defend themselves from witchcraft, their keeping Thursday holiday in honour of Jupiter; concerning all which he concludes, That they who still continued to follow such vanities, ought to be reproved[74] by their fellow Christians; and if, after that, they did not amend their ways, they should thenceforward banish them from all society both in eating and conversation. Some think this homily rather belongs to Cæsarius Arelatensis; and if so, it only shows, that this crime prevailed among some in France, as it did for many ages after: which appears from the Capitulars of Charles the Great,[75] where decrees were made against calculators, enchanters, and tempestarians, as they are called, that is, raisers of storms and tempests, and obligators, or makers of phylacteries to bind about the neck. Who are also noted and condemned in the council of Rome[76] under Gregory II., anno 721; and in the council of Trullo,[77] which forbids any one to consult diviners, or those called *centenarii*, or any such, to discover secrets, under the penalty of six years' penance, according to the rules of the ancient fathers. And the same penalty is imposed upon those who carry about she-bears, πρὸς παίγνιον, to the delusion and hurt of the people; and use the words, fortune, and fate, and genealogy, and such like names, to impose upon the simple. Also all observers of the clouds, and jugglers, and makers of phylacteries,[78] and di-

[67] Basil. in Psal. xlv. p. 229.

[68] Epiphan. Hær. 15. de Pharisæis.

[69] Iren. lib. 2. cap. 57. Nec invocationibus angelicis facit, nec incantationibus, nec aliqua prava curiositate, sed munde et pure et manifeste orationes dirigens ad Dominum, qui omnia fecit; et nomen Domini nostri Jesu Christi invocans, virtutes secundum utilitates hominum, sed non ad seductionem perficit.

[70] Iren. lib. 1. cap. 23. Utuntur hi magia et incantationibus et invocationibus et reliqua universa periergia, &c.

[71] Baron. an. 120. n. 10.

[72] Aug. Tract. 7. in Joan. t. 9. p. 27. Qui seducunt per ligaturas, per præcantationes, per machinamenta inimici, miscent præcantationibus suis nomen Christi: quia jam non possunt seducere Christianos, ut dent venenum, addunt mellis aliquantum, ut per id quod dulce est, lateat quod amarum est, et bibatur ad perniciem.

[73] Aug. Serm. 215. de Tempore. Cum ergo duplicia bona possint in ecclesia inveniri, quare per præcantatores, per fontes, et arbores, et diabolica phylacteria, per characteres et aruspices et divinos sortilegos multiplicia sibi mala miseri homines conantur inferre? Vid. lib. 2. de Doct. Christ. cap. 20, in the last section of this chapter.

[74] Ibid. Quoscunque tales esse cognoveritis, durissime castigate. Et si emendare noluerint, nec ad colloquium, nec ad convivium vestrum eos venire permittite.

[75] Capitul. Aquisgran. lib. 1. cap. 64. Conc. t. 7. p. 984. Calculatores, incantatores, tempestarii, vel obligatores non fiant: et ubicunque sunt, vel emendentur vel damnentur.

[76] Conc. Rom. can. 12. Si quis hariolos, aruspices, vel incantatores observaverit, aut phylacteriis usus fuerit, anathema sit. Vid. Capitul. Martin. Bracarensis, cap. 72.

[77] Conc. Trull. can. 61. Οἱ μάντεσιν ἑαυτοὺς ἐκδιδόντες, ἢ τοῖς λεγομένοις ἑκατοντάρχαις, κ.τ.λ. ὑπὸ τὸν κανόνα πιπτέτωσαν τῆς ἑξαετίας.

[78] Ibid. Τοὺς τε λεγομένους νεφελοδιώκτας, γοητευτὰς,

viners, persisting in their heathenish and pernicious practices, are ordered to be cast out of the church. "For what communion," says the apostle, "hath light with darkness? And what agreement hath the temple of God with idols? and what part hath he that believeth with an infidel? and what concord hath Christ with Belial?" It is plain from this, there were still some remains of heathenish superstition and idolatry among Christians, especially in the use of phylacteries and divining, and other such vain observations. But it is hard to guess, what are meant by centurions, who are here joined with diviners, and forbidden to be consulted. There is a law of Honorius[79] in the Theodosian Code, which Gothofred thinks may give a little light to this canon. For there the *chiliarchæ* and *centenarii*, captains of thousands and captains of hundreds, are plainly spoken of as leaders of the people, and managers in ordering the idolatrous pomps of the Gentiles; being joined with the *frediani* and *dendrophori*, which he shows to be those officers in the pomp, who carried the images of the gods on their shoulders in procession. They were the chief of certain corporations or companies, who are mentioned in another law of Honorius, under the names of *collegiati* and *vituriarii* (or *Didumarii*) the officers of Apollo Didumæus; and *Nemesiaci*, the officers of the goddess Nemesis, good fortune, and the dispenser of fate; and *signiferi* and *cantabrarii*, who carried the ensigns and banners of their gods in their pomps, and games, and festivals.[80] And these, as Gothofred shows out of Commodianus,[81] a Christian poet, pretended to divine and tell fortunes, as inspired by the gods: and they incorporated others into these colleges, as principal officers in these pomps; whence they were called *chiliarchæ* and *hecatontarchæ*, captains of thousands and captains of hundreds. All which agrees with the canon of the council of Trullo, which joins the *hecatontarchæ* with the *vates*, or diviners, and makes them fortune-tellers, talking much of fortune and fate, and genealogies or nativities, to deceive the people. They who carried about she-bears or other animals, Balzamon says, were such impostors as pretended, that the hairs of those bears, or toys tied to them, were remedies against witchcraft. And so the council forbids all these ways of making and using charms and amulets, as the relics of heathen superstition still remaining among the weaker and baser sort of Christians. I have been the more curious in searching into the true meaning of this canon, because it is passed over in silence by most commentators, and the reader with me must own himself beholden to the learned Gothofred for the explication of it.

Sect. 7. Of the *præstigiæ*, or false miracles wrought by the power of Satan.

There is another sort of impostors mentioned in the same canon, under the name of *γοητευταὶ*, which is a general name for all that use tricks and impostures; but here it is taken in a more restrained sense, for such as pretended to work miracles by the power of magic, such as Jannes and Jambres among the Egyptians, and Simon Magus among the Jews, and Apollonius Tyanæus and other impostors among the Gentiles. They are otherwise called *θαυματοποιοὶ* and *ψηφάδες*,[82] by the Greeks, and *præstigiatores* by the Latin writers. Their tricks were chiefly showed in making false appearances of things, and imposing upon men by the delusion of the outward senses. The ancient author of the Recognitions describes their art[83] in the person of Simon Magus, whom he brings in giving himself this vain-glorious character: I can make myself disappear to those that would apprehend me, and again, I can appear when I please; when I am minded to fly, I can pass through mountains and stones, as through the mire; when I cast myself headlong from a precipice, I am carried as if I were sailing to the earth without harm; when I am bound, I can loose myself, and bind them that bound me; when I am close shut up in prison, I can cause the doors to open of their own accord; I can give life to statues, and make them appear as living men; I can make trees grow suddenly out of the earth, and raise up plants in a moment; I can throw myself into the fire, and not be burnt; I can change my countenance, so as not to be known; yea, I can show myself with two faces unto men: I can make myself a sheep or a goat; I can give little children a beard; and fly in the air; I can show much gold, or turn lead into gold; I can set up kings, and dethrone them at pleasure. Now, Tertullian[84] observes, That Simon Magus, for these juggling practices,

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καὶ φυλακτηρίους, καὶ μάντεις—παντάπασιν ἀπορίπτεσθαι τῆς ἐκκλησίας ὁρίζομεν.

[79] Cod. Theod. lib. 16. Tit. 10. de Paganis, Leg. 20. Chiliarchas insuper et centenarios, vel qui sibi plebis distributionem usurpare dicuntur, censuimus removendos.

[80] Vid. Cod. Theod. lib. 14. Tit. 7. de Collegiatis, Leg. 2. et Gothofred. in loc.

[81] Commodian. Instruct. ad calcem Cypriani, edit. Rigaltii. Mane ebrio, crudo, perituro, creditis viro, Qui ex arte ficte loquitur, quod illi videtur. Ipse sibi nescit divinare, cæteris audet. Vertitur a se rotans cum ligno bifurci, ac si putes illum afflatum numine ligni.

[82] Theod. in 2 Thess. ii. 9. *Οὐκ ἀληθῆ θαύματα ποιοῦσι οἱ ἀπὸ τῶν ψήφων τὰς ἐπωνυμίας ἔχοντες.* Athanasius, Quæst. 124. ad Antioch. *Οἱ λεγόμενοι ψηφάδες, καὶ πάλιν αὐτὸς ὁ ἀντίχριστος ἐρχόμενος, ἐν φαντασίᾳ πλανᾷ τοὺς ὀφθαλμοὺς τῶν ἀνθρώπων.* Suidas, voce Ψηφολόγοι. Capitular. Aquisgran. lib. 1. cap. 64. Calculatores, incantatores, tempestarii, &c.

[83] Recognit. lib. 2. n. 9. ap. Coteler. p. 506.

[84] Tertul. de Idol. cap. 9. Exinde et Simon Magus jam fidelis, quoniam aliquid adhuc de circulatoria secta cogitaret, ut scilicet inter miracula professionis suæ etiam Spiritum Sanctum per manuum impositionem enundinaret, maledictus ab apostolis de fide ejectus est.——Et post evangelium nusquam invenias sophistas, nisi plane punitos.

and miracles belonging to his profession, was anathematized by the apostles, and cast off as an alien from the faith. And all such sophisters, as he terms them, had ever the same fate from the beginning of the gospel. Which observation of Tertullian's is most certainly true, and might be confirmed by abundance of instances in ancient story; and especially of heresiarchs, or founders of new heresies, who pretended commonly to work miracles and wonders, to gain a reputation to their novel opinions. I will only mention one or two that were famous in this kind. The heretic Marcus, the father of the Marcosians, is thus described by an ancient author, who wrote before the time of Irenæus[85] in these words: O Marcus, thou idol-maker and wonder-worker, empiric in astrology and art of magic, by which thou dost propagate thy seducing doctrines, making a show of signs and miracles to them that are led into error by thee, which are the works of the apostate power, Satan thy father enables thee to do by the angelical power of Azazel, using thee as the forerunner of the antichristian deceit. And Irenæus[86] himself takes notice of one of his juggling tricks, which was, That when he pretended to consecrate the eucharist in a cup of wine and water, he made it appear of a purple and red colour, by a long prayer of invocation, that it might be thought the grace from above distilled the blood into the cup by his invocation. Such another imposture is mentioned by Firmilian, in his letter to Cyprian, where he speaks of a woman who pretended to be inspired by the Holy Ghost, but was really acted by a diabolical spirit,[87] by which she counterfeited ecstasies, and pretended to prophesy, and wrought many wonderful and strange things, and boasted that she would cause the earth to move. Not that the devil has so great power, either to move the earth or shake the element by his command; but the wicked spirit, foreseeing and understanding that there will be an earthquake, pretends to do that which he foresees will shortly come to pass. And by these lies and boastings, the devil subdued the minds of many to obey him, and follow him wheresoever he was pleased to command or lead them. And he made that woman walk bare-foot through the snow in the depth of winter, and feel no trouble or harm by running about after this fashion. But at last, after having played many such pranks, one of the exorcists of the church discovered her to be a cheat, and showed that it was a wicked spirit, which before was thought to be the Holy Ghost. There are many other such instances in the history of the Montanists[88] and Pepuzians, and the Apellians and Severians,[89] mentioned by St. Austin and other writers: but these are sufficient to show what pretences were commonly made by heretics to the power of working miracles, which the church, apprehending them to be wrought by the power of Satan, and not by the Holy Spirit, rejected as impostures, and punished the pretenders with the severest of her censures. For so Eusebius,[90] out of Apollinaris, particularly tells us of the Montanists, That their new prophecies being judged impious and profane, their doctrine was condemned, and the authors expelled from the communion of the church, as enthusiasts and demoniacs, who were always excluded from the participation of the holy mysteries, whilst they remained under the power and agitation of Satan. St. Basil[91] appoints the same penance for those who profess conjuration, *γοητείαν*, as for those who are guilty of murder, that is, twenty years in several stations of repentance.

Sect. 8. Of observation of days and accidents, and making presages and omens upon them.

There was one piece of superstition more, which the ancients frequently censure as a breach of men's baptismal vow, and part of the pomp and service of Satan, which they professed to renounce in baptism. This was, the observation of days and accidents, as lucky or unlucky, and making presages and omens upon them. St. Chrysostom[92] has a large invective against this sort of superstition. The pomps of Satan, says he, are the theatre and the games of the cirque, together with the observation of days, and presages and omens. And what are omens? Why, suppose when a man goes first out of his doors, he meets a man that has but one eye, or is lame, he reckons this ominous, or foreboding some ill fortune to him; this is part of the pomps of Satan. For the meeting of a man does not make the day evil, but the spending of it in sin. Keep from sin, and the devil himself cannot hurt you: but if you make presages upon meeting of a man, you discern not the devil's snare, who makes you without reason an enemy to one who has done you no harm. But there is one thing more ridiculous than this, which I am ashamed to speak, and yet I must mention for your salvation. If a man meets a virgin, he cries out presently, This will be a fruitless day with me: but if he meets a harlot, it will be a good and lucky day, and bring him in great gain and advantage. See how the devil here hides his craft, to make us abhor a

[85] Iren. lib. 1. cap. 12. [86] Ibid. cap. 9.

[87] Firmil. Ep. 75. ad Cypr. p. 222. Emersit subito quædam mulier, quæ in extasi constituta, propheten se præferret, et quasi Sancto Spiritu plena sic ageret.——Mirabilia quædam ac portentosa perficiens, et facere se terram moveri polliceretur. Non quod dæmoni tanta esset potestas, &c.

[88] Vid. Aug. de Hæres. cap. 26. Euseb. lib. 5. cap. 13.

[89] Aug. ibid. cap. 23. Euseb. lib. 5. cap. 14 et 16.

[90] Euseb. lib. 5. cap. 16. [91] Basil. can. 65.

[92] Chrys. Hom. 21. ad Pop. Antioch. t. 1. p. 274. *Πόμπη σατανική ἐστι θέατρα καὶ ἱπποδρομίαι, καὶ παρατήρησις ἡμερῶν καὶ κληδόνες καὶ σύμβολα.* See also Hom. 23. de Noviluniis, cited before, chap. 4. sect. 17. and Comment. in Galat. i. p. 973.

chaste and modest woman, and love an impudent harlot. But what shall a man say of those who use enchantments and ligatures, binding the brasen medals of Alexander the Great about their heads or feet? Are these, I pray, the hopes of a Christian, that after the cross and death of our Lord, we should place our hopes of salvation or health in the image of a heathen king? Know you not what great things the cross has done? How it has destroyed death, abolished sin, taken away the force of hell and the grave, and dissolved the power of death? And canst thou not trust it for curing thy bodily distempers? It has raised the whole world from the dead, and canst not thou confide in it? But thou dost not only seek after such ligatures, but enchantments, entertaining old drunken and staggering women in thy house for this purpose. And the apology you make for so doing, is worse than the error itself. The woman, say you, who makes the charm, is a Christian, and she does nothing but make use of the name of God. For that very reason I the more detest and abhor her, because she uses the name of God to dishonour and reproach it; because she is called a Christian, and does the works of a heathen. The devils confessed the name of God, yet they were devils for all that: they said to Christ, "We know thee who thou art, the Holy One of God," yet notwithstanding he rebuked them and cast them out. Wherefore I beseech you, keep yourselves pure from this deceit, and let this word (I renounce thee, Satan) be your staff. As you would not go into the market without your shoes and clothes, so never go forth of your doors without first using this word, I renounce thee, Satan, and thy pomp and service, and I make a covenant with thee, O Christ. Go no where without this word, and it will be your staff, your armour, your impregnable tower. Join with this word the sign of the cross in your forehead, and so not only the meeting of any man, but the devil himself cannot hurt you. St. Austin gives a like caution against this sort of superstitious observations. To this kind,[93] says he, belong all ligatures and remedies, which the school of physicians reject and condemn, whether in enchantments, or in certain marks which they call characters, or in other things that are to be hanged and bound about the body, and kept in a dancing posture, not for any temperament of the body, but for certain significations either occult or manifest: which by a gentler name they call physical, that they may not seem to affright men with the appearance of superstition, but do good in a natural way: such are earrings hanged upon the tip of each ear, and rings made of an ostrich's bones for the fingers, or when you are told, in a fit of the convulsions or shortness of breath, to hold your left thumb with your right hand. To which may be added a thousand vain observations, as, if any of our members beat; if when two friends are walking together, a stone, or a dog, or a child happens to come between them, they tread the stone to pieces, as the divider of their friendship; and this is tolerable in comparison of beating an innocent child that comes between them. But it is more pleasant, that sometimes the children's quarrel is revenged by the dogs; for many times they are so superstitious, as to dare to beat the dog that comes between them, who turning again upon him that smites him, sends him from seeking a vain remedy to seek a real physician indeed. Hence proceed likewise those other superstitions: for a man to tread upon his threshold when he passes by his own house: to return back to bed again, if he chance to sneeze whilst he is putting on his shoes: to return into his house, if he stumble at his going out: if the rats gnaw his clothes, to be more terrified with the suspicion of some future evil, than concerned for his present loss. He says, Cato gave a wise and smart answer to such a one, who came in some consternation to consult him about the rats having gnawed his stockings: That, said he, is no great wonder; but it would have been a wonder indeed, if the stockings had gnawed the rats. St. Austin mentions this witty answer of a wise heathen, to convince Christians the better of the unreasonableness and vanity of all such superstitious observations. And he concludes,[94] that all such arts, whether of trifling or more noxious superstition, are to be rejected and avoided by Christians, as proceeding originally from some pernicious society between men and devils, and being the compacts and agreement of such a treacherous and deceitful friendship. The apostle forbids us to have fellowship with devils: and that, he says, respects not only idols and things offered to idols, but all imaginary signs pertaining to the worship of idols, and also all remedies and other observations, which are not appointed publicly by God to promote the love of God and our neighbour, but proceed from the private fancies of men, and tend to corrupt the hearts of poor deluded mortals. For these things have no natural virtue in them, but owe all their efficacy to a presumptuous confederacy with devils; and they are full of pestifer-

[93] Aug. de Doct. Christ. lib. 2. cap. 20. Ad hoc genus pertinent etiam omnes ligaturæ atque remedia, quæ medicorum quoque disciplina condemnat, &c. It. Enchirid. c. 79. Magnum peccatum dies observare et menses et tempora et annos, &c.

[94] Ibid. cap. 23. Omnes igitur artes hujusmodi vel nugatoriæ vel noxiæ superstitionis, ex quadam pestifera societate hominum et dæmonum, quasi pacta infidelis et dolosæ amicitiæ constituta, penitus sunt repudianda et fugienda Christiano, &c. Vid. plura ap. Gratian. Caus. 26. Quæst. 7. cap. 15 et 16. Non observetis dies qui dicuntur Ægyptiaci, &c.

ous curiosity, tormenting anxiety, and deadly slavery. They were first taken up, not for any real power to be discerned in them, but gained their power by men's observing them. And therefore by the devil's art they happen differently to different men according to their own apprehensions and presumptions. For the great deceiver knows how to procure things agreeable to every man's temper, and insnare him by his own suspicions and consent. As this is an excellent account of these superstitious observations, so it seems to intimate, that some difference was made between the professors of these arts, and those who through ignorance were deluded by them: and therefore though the former might fall under the severest discipline of the church, yet the latter seem rather to have been chastised by admonitions and rebukes, as here by St. Austin and St. Chrysostom, and not to have incurred the highest censure of excommunication, because of their simplicity, and perhaps because of the numbers of those who were daily inclined to mind such observations of days and accidents, without considering either the original of the superstition, or the mischief thereby done to piety and religion. I have insisted a little longer upon these things, because it is to be feared, there is always reason for a serious caution against such superstitions, which are apt to creep upon unwary men in all ages of the church.

CHAPTER VI.

OF APOSTACY INTO JUDAISM AND PAGANISM, OF HERESY AND SCHISM, SACRILEGE AND SIMONY.

Sect. 1. Of such as apostatized totally from Christianity to Judaism.

Besides the forementioned crimes against the first and second commandments, there were a great many others worth our observance, as bringing men under the severest censures of the church. Among these, the disposition which many showed toward the antiquated religion and ceremonies of the Jews, is often taken notice of by the ancients in their accounts of church discipline. And of these we may observe three sorts or degrees. Some entirely abandoned the Christian religion, and went totally over to the Jews; others mingled the Jewish ceremonies and some of their doctrines with the Christian religion; and others complied so far with them as to communicate with them in many of their unlawful practices, though they made no formal profession of their religion. Of the first sort was Aquila the translator of the Bible, who at first was a Christian, as Epiphanius[1] informs us, till, being expelled from the church for adhering to astrology, he fled over to the Jews and took sanctuary among them, setting about a new translation of the Bible in spite to the Christians. And such were many in the days of Barchochab, the great impostor, who compelled many Christians to deny and curse Christ, as Justin Martyr[2] acquaints us. Now, though the imperial laws allowed those that were originally Jews the freedom of their religion, and many privileges for a long time, under the reigns of Christian emperors, yet they severely prohibited any Christian going over to them, and laid very great penalties upon all such apostates. Constantine[3] left it to the discretion of the judges to punish such apostates with death, or any other condign punishment. His son Constantius[4] subjected them to confiscation of goods. And Valentinian junior[5] laid upon them the penalty of being intestate, denying them and all other apostates the privilege of disposing of their estates by will. And in compliance with these laws of the state, the church, after she had anathematized such apostates, showed her detestation of them further in denying them the privilege of being accepted as credible witnesses in any of her courts of judicature. For he cannot be faithful to man, says the fourth council of Toledo,[6] who has been unfaithful to God. Therefore those Jews, who were heretofore Christians, and now prevaricate from the faith of Christ, ought not to be admitted to give testimony, although they call themselves Christians; because, as they are suspected in the faith of Christ, so their credit ought to be questioned in human testimony. Therefore their evidence is of no force, seeing they have falsified in the faith; neither is any credit to be given to them, who have cast off the word of truth.

Sect. 2. Of such as mingled the Jewish religion and the Christian together.

Another sort there were, who did not wholly cast off the Christian religion, but made up a new religion for themselves by a mixture of both together. Such a miscellany was the heresy of the Nazarenes, and those of the Ebionites, and Cerinthians, and Elcesaites, and Sampseans, who observed circumcision, and other rituals of the Jewish

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[1] Epiphan. de Ponder. et Mensur. n. 15. t. 2. p. 171.

[2] Justin. Apol. 2. p. 72.

[3] Cod. Theod. lib. 16. Tit. 8. De Judæis, Leg. 1. Si quis ex populo ad eorum nefariam sectam accesserit, et conciliabulis eorum se applicaverit, cum ipsis pœnas meritas sustinebit.

[4] Ibid. Leg. 7. Si quis ex Christiano Judæus effectus—— facultates ejus dominio fisci jussimus vindicari.

[5] Ibid. lib. 16. Tit. 7. De Apostatis, Leg. 3.

[6] Conc. Tolet. 4. can. 63. Non potest erga homines esse fidelis, qui Deo extiterit infidelis. Judæi ergo, qui dudum Christiani effecti sunt, et nunc Christi fidem prævaricati sunt, ad testimonium dicendum admitti non debent, quamvis esse se Christianos annuncient: quia sicut in fide Christi suspecti sunt, ita in testimonio humano dubii habentur, &c.

law, together with so much as they retained of the Christian; as may be seen in the accounts which St. Austin[7] and other ancient writers give of them. And Gothofred thinks the *Cœlicolæ*, who are specified and condemned in two or three laws of Honorius in the Theodosian Code, were a mongrel sect of the same nature. They joined circumcision and baptism together; agreeing both with Jews and Christians in rejecting idols, and worshipping only heaven, that is, the God of heaven, whence they had the title of *Cœlicolæ;* but in this they agreed with the Jews only, that they rejected the doctrine of a Trinity in the Godhead, and only worshipped God in one person. In which respect the Sabellians also, and Paulianists, and Praxeans, and Theodotians, and Arians, and Photinians, who either denied the Divinity of Christ, or confounded the three Divine persons into one, are commonly charged by the ancients as flying back to Judaism in this point, whilst they subverted the true doctrine of the Christian Trinity by their heterodox innovations. It is particularly remarked by learned men[8] concerning Paulus Samosatensis, that the true reason why he denied the Divinity of Christ, was to compliment Queen Zenobia, who was a Jewish proselyte: for he thought, that by reducing Christ to be a mere man, he might reconcile both religions, and take away the partition-wall that divided the Jews and Christians, nothing being so great an offence to the Jews, as that Christ was owned by his disciples to be God. There was another sect which called themselves Hypsistarians, that is, worshippers of the most high God, whom they worshipped, as the Jews, only in one person: and they observed their sabbaths, and used distinction of meats clean and unclean, though they did not regard circumcision, as Gregory Nazianzen,[9] whose father was once one of this sect, gives the account of them. Now, it is certain the church never allowed any of these miscellaneous doctrines, or mongrel sects; but condemned them all as heretics, and excluded them from her communion. And the laws of the state were particularly severe against the *Cœlicolæ*, those who joined circumcision and baptism together, there being three laws of Honorius in the Theodosian Code directly formed against them. In the first of which he ranks them with the Donatists, and Manichees, and Priscillianists, and heathens; ordering all general penal laws against heretics to be put in execution against them; and particularly appointing, that the houses of the *Cœlicolæ*, where that new sect held their conventicles, should with the rest[10] be forfeited to the church. In the second, he calls them[11] the new audacious sect of the Jews, which presumed to disturb the sacraments of the church, because they rebaptized the catholics, as the Donatists did. In the third,[12] he styles them again, the new sect of the *Cœlicolæ*, who brought in an unheard superstition. And he threatens them, That unless within a year they returned to the service of God and the Christian worship, all the laws made against heretics should lay hold of them. St. Austin also in one of his epistles[13] mentions this sect of the *Cœlicolæ*, and intimates, that they joined with the Donatists in rebaptizing the catholics. And that he means a sect which apostatized from the Christian to the Jewish religion, is evident from the title of *majores*, given by him to their ministers; for by this title the Jewish ministers are frequently[14] distinguished in the Theodosian Code. So that it is plain, that this sect of the *Cœlicolæ* was a mixture of the Christian and Jewish religion together, and as such were both punished by the laws of the state, and rejected from communion by the laws of the church.

Sect. 3. Of such as communicated with the Jews in their unlawful rites and practices.

Besides these, there were some Christians, who neither went over wholly to the Jews' religion, nor in any main point complied with them, who yet in some more remote rites and practices refused not to communicate with them, as in observing their festivals, and feasting, and marrying with them, and receiving their *eulogiæ*, and having recourse to them for phylacteries and charms to cure diseases; all which therefore are condemned under the penalty of ecclesiastical censure. The council of Laodicea forbids[15] Christians to Judaize by resting on the sabbath, under pain of anathema; likewise it prohibits keeping Jewish feasts, and accepting festival presents sent from them;[16] as also receiving unleavened bread from them, which is accounted a

[7] Aug. de Hæres. cap. 8, 9, 10, et 32.

[8] Maurice's Answer to Baxter's Church History, p. 287. Baron. an. 265. n. 1.

[9] Naz. Orat. 19. in Funere Patris, t. 1. p. 209.

[10] Cod. Theod. lib. 16. Tit. 5. de Hæret. Leg. 43. Ita ut ædificia vel horum, vel Cœlicolarum etiam (quæ nescio cujus dogmatis novi conventus habent) ecclesiis vindicentur.

[11] Ibid. Leg. 44. Donatistarum hæreticorum, Judæorum nova atque inusitata detexit audacia, quod catholicæ fidei velint sacramenta turbare, &c.

[12] Lib. 16. Tit. 8. De Judæis, Cœlicolis et Samaritanis, Leg. 19. Cœlicolarum nomen inauditum quodammodo novum crimen superstitionis vindicavit. Hi nisi infra anni terminos ad Dei cultum venerationemque Christianam conversi fuerint, his legibus quibus præcepimus hæreticos adstringi, se quoque noverint adtinendos.

[13] Aug. Ep. 163. ad Eleusium, p. 284. Jam miseramus ad majorem Cœlicolarum, quem audieramus novi apud eos baptismi institutorem instituisse, et multos illo sacrilegio seduxisse.

[14] Cod. Theod. lib. 16. Tit. 8. De Judæis, Cœlicolis, &c. Leg. 1. Judæis, et majoribus eorum et patriarchis volumus intimari, &c. It. Leg. 23. Annati et Majoribus Judæorum. It. lib. 16. Tit. 9. Leg. 3. eadem Inscriptio.

[15] Conc. Laod. can. 29.

[16] Ibid. can. 37 et 38.

partaking with them in their impiety. To the same purpose, among the Apostolical Canons we find one forbidding to fast[17] or feast with the Jews, or to receive any of their festival presents, or unleavened bread, under the penalty of deposition to a clergyman, and excommunication to a layman. And by another of the same Canons,[18] to carry oil to a Jewish synagogue, or set up lights on their festivals, is paralleled with the crime of doing the like for a heathen temple or festival, and both of them equally punished with excommunication. So a bishop, priest, or deacon, who celebrates the Easter festival before the vernal equinox[19] with the Jews, is to be deposed. Though this is a little more severe than the Constitution that was made about it in the time of Irenæus, and afterward was confirmed by Constantine[20] and the council of Nice; for they forbid the celebration of Easter with the Jews, but lay not the penalty of deposition or excommunication upon those that followed that custom, because they had some pretence of apostolical tradition for their practice. The council of Eliberis[21] forbids Christians to have recourse to the Jews for blessing the fruits of the earth, and that under the penalty of excommunication, because it was a reproach to the manner of blessing them in the church, as if that was weak and ineffectual. The same council[22] forbids both clergy and laity to eat with the Jews, upon pain of being cast out of the communion of the church. And the reason of this is assigned by the council of Agde;[23] because they use not the meats that are commonly used among Christians: therefore it is an unworthy and sacrilegious thing to eat with them; forasmuch as they reputed those things unclean, which the apostle allows us to receive; and so Christians are rendered inferior to the Jews, if we eat of such things as they set before us, and they contemn what we offer them. Which canon is repeated in the same words in the council of Vannes,[24] and there is a rule in the council of Epone[25] to the same purpose. It appears also from the fourth council of Toledo, that the Spanish churches were much infested with this sort of complying and Judaizing Christians; some patronizing the Jews in their perfidiousness; others turning downright apostates, and submitting to circumcision; and others indifferently conversing with them to the manifest danger of their own subversion. Against which last sort of compliers the sixty-first canon of that council is particularly directed; and there are six or seven canons more in the same place one after another relating to cases of the like nature, which need not here be related. The council of Clermont[26] makes it excommunication for a Christian to marry a Jew. And the third council of Orleans prohibits it under the same penalty,[27] together with sequestration of the persons from each other. St. Chrysostom inveighs against those who went out of curiosity to the Jewish synagogues, saying,[28] it was the same thing as going to an idol temple: If any one sees thee, who hast knowledge, go to a synagogue to see the trumpets, shall not the conscience of him that is weak be imboldened to admire the Jewish ceremonies? Although there be no idol there, yet the devils inhabit the place. Which I say not only of the synagogue which is here, but of that of Daphne, that more impure pit of hell, which they call Matrona. I hear many of the faithful go thither, and sleep in the place. But God forbid I should call them the faithful. For the temple of Apollo and Matrona are equally profane. Is not that a place of impiety, where devils dwell, although there be no image there? where the murderers of Christ assemble, where the cross is cast out, where God is blasphemed, where the Father is not known, where the Son is reviled, where the grace of the Spirit is rejected? He particularly bewails those,[29] who went either to see or join with them in the celebration of their fasts and festivals, the feast of trumpets, the feast of tabernacles, and the fast of the great day of expiation, which came all in the month Tisri, or September, when he preached his sermons against the Jews. He notes also the wickedness of some[30] who would draw others by force to go and take an oath in a Jewish synagogue, upon a most unaccountable persuasion, that an oath given there was more formidable than any other whatsoever. For these, and many other reasons which he there largely pursues,[31] he styles all such only half Christians,

[17] Canon. Apost. 70. [18] Ibid. 72.

[19] Ibid. can. 8. Confer Cod. Theod. lib. 16. Tit. 5. Leg. 9. et Tit. 6. Leg. 6. de Protopaschitis.

[20] Constant. Ep. ap. Euseb. de Vit. Const. lib. 3. cap. 18 et 19.

[21] Conc. Eliber. can. 49. Admoneri placuit possessores, ut non patiantur fructus suos, quos a Deo percipiunt cum gratiarum actione, a Judæis benedici, ne nostram irritam et infirmam faciant benedictionem. Si quis post interdictum facere usurpaverit, penitus ab ecclesia abjiciatur.

[22] Ibid. can. 50. Si vero aliquis clericus vel fidelis fuerit, qui cum Judæis cibum sumpserit, placuit eum a communione abstinere, ut debeat emendari.

[23] Conc. Agathen. can. 40. Omnes deinceps clerici sive laici Judæorum convivia evitent; nec eos ad convivium quisquam excipiat: quia cum apud Christianos cibis communibus non utantur, indignum est atque sacrilegum, eorum cibos a Christianis sumi; quum ea quæ apostolo permittente, nos sumimus, ab illis judicentur immunda, &c.

[24] Conc. Veneticum, can. 12.

[25] Conc. Epaunense, can. 15. Vid. Conc. Matiscon. 1. can. 15. Aurelian. 3. can. 13.

[26] Conc. Arvernense, can. 6.

[27] Conc. Aurel. 3. can. 13. Vid. Aug. 234. Et Ambros. de Abrahamo, lib. 1. cap. 9.

[28] Chrys. Hom. 1. cont. Jud. t. 1. p. 442 et 443.

[29] Ibid. p. 433. [30] Ibid. p. 437.

[31] Ibid. p. 440.

Χριστιανοὶ ἐξ ἡμισείας. He has two other[32] whole sermons against those who observed the Jewish fasts, and frequented their synagogues; in the latter of which he addresses himself to them in these words: We have now clearly proved that the places where the Jews assemble are inhabited by devils. How then darest thou, after being in the chorus of devils, return to the assembly of the apostles? How is it that thou art not afraid, after communicating with those who shed the blood of Christ, to come and communicate at the holy table, and partake of that precious blood? Does not horror and trembling seize thee, after having committed so great wickedness? Dost thou not reverence the holy table? "Wherefore I exhort you, admonish and edify one another." If any man be a catechumen, who labours under this distemper, let him be driven from the doors of the church; if he be one of the faithful, and initiated in the holy mysteries, let him be driven from the holy table. All sins need not exhortation and counsel; there are some that naturally require a more quick and sharp abscission. I therefore from henceforth shall abstain from all further admonition, and protest and proclaim, "If any man love not the Lord Jesus Christ, let him be anathema." And what greater argument can there be of any one's not loving Christ, than his communicating with those in their festivals, who killed Christ? It is not I that anathematize these, but Paul, yea, Christ that speaks by Paul, and says, "Whoever of you are justified by the law, ye are fallen from grace." In his comment upon those words of St. Paul to Titus,[33] "Rebuke them sharply, that they may be sound in the faith," he speaks again of this matter: If they who make a distinction of meats are not sound, but weak, what shall we say of those who fast with the Jews, and observe their sabbaths with them, and go to their synagogues, to that at Daphne, called the cave of Matrona, and that in Cilicia, called the place of Cronus, or Saturn? In his sixth homily against the Jews,[34] he inveighs vehemently against those who went to the synagogues to get charms and amulets to cure diseases, in which the Jews pretended to a peculiar art above others, and this tempted many vain Christians to have recourse to them; but of this I have spoken before in the last chapter, out of Chrysostom, and shall only here add, that the Jews boasted much of this art as coming to them from some apocryphal writings of King Solomon, such as his Book of Prayers, or enchantments to cure diseases, and his Book of Exorcisms, or conjurations to cast out devils, both which are mentioned by Josephus,[35] who magnifies the art as still remaining among them, speaking of one Eleazar, who, according to the rules there prescribed, pretended to cure one possessed with a devil in the presence of Vespasian. Origen also[36] mentions these books, and says, Some Christians adjured devils after the same manner by forms out of apocryphal and Hebrew books, in imitation of those of Solomon; which he does by no means allow, but says, it is Judaical, and not according to the power given by Christ to his disciples. By all which it appears, that as the Jews pretended much to this power, so many Christians were so vain as to have secret recourse to them, (for Chrysostom says, they were ashamed to do it in public,) imagining their enchantments to be of more efficacy than any others. Which was a double crime, first to make use of charms, and then to take them from the enemies of Christ, to the flagrant scandal of the Christian religion. Whenever, therefore, any were convicted of this crime, they were sure to feel the utmost severity of ecclesiastical censure.

Sect. 4. Of such as apostatized voluntarily into heathenism.

Another sort of apostates were such as fell away voluntarily into heathenism, after they had for some time made profession of Christianity. These differed from common lapsers into idolatry in this, that the common lapsers fell by violence, and the fear and terror of persecution; but these fell away by principle and choice, and out of a dislike to religion, and love of Gentilism, which they preferred before the religion of Christ, when they might without any molestation have continued in it. And as the one usually returned as soon as they had opportunity, so the other commonly continued apostates all their days. The imperial laws, at least from the time of Theodosius, denied such the common privilege of Roman subjects, depriving them of the power of disposing of their estates by will. As appears from two laws[37] of Theodosius the Great in the Theodosian Code, which the other succeeding emperors confirmed. Particularly Valentinian junior not only denied them the power of making their own wills, but of receiving any benefit[38] from others by

[32] Hom. 52. in eos qui Pascha jejunant, et Hom. 53. in eos qui cum Judæis jejunant, t. 5. p. 721.

[33] Hom. 3. in Tit. p. 1709.

[34] Hom. 6. in Judæos, t. 1. p. 536, &c. See this before, chap. 5. sect. 6.

[35] Joseph. Antiq. lib. 8. cap. 2.

[36] Orig. Tract. 35. in. Matt. p. 188. Non est secundum potestatem datam a salvatore adjurare dæmonia: Judaicum enim est. Hoc etsi aliquando a nostris tale aliquid fiat, simile fit ei, quod a Salomone scriptis adjurationibus solent dæmones adjurari. Sed ipsi qui utuntur adjurationibus illis, aliquoties nec idoneis constitutis libris utuntur: quibusdam autem et de Hebræo acceptis adjurant dæmonia.

[37] Cod. Theod. lib. 16. Tit. 7. de Apostatis, Leg. 1. His qui ex Christianis pagani facti sunt, eripiatur facultas jusque testandi. Omne defuncti, si quod est, testamentum, submota conditione, rescindatur. Ib. Leg. 2. Ibid. Leg. 3, 4, 5, 6, 7.

[38] Ibid. Leg. 4. Hi qui sanctam fidem prodiderint et sanctum baptisma profanaverint, a consortio omnium segregati, sint a testimoniis alieni, testamenti non habeant factionem, nulli in hæreditate succedant, a nemine scribantur

will: no man might make them his heirs, nor could they succeed to any inheritance. They were to have no commerce or society with others; their testimony was not to be taken in law; they were to be infamous and of no credit among men, among whom they were allowed to live without banishing, only to make it the greater punishment, to live among men, and not enjoy the common privileges of men. Nay, they were never to regain their ancient state: though they repented and returned, this should be no benefit to them in this respect; their repentance should never obliterate their crime, because they had broken their faith to God. This was their condition in temporals. As to their spiritual estate, by some canons of the church they were as severely treated. The council of Eliberis[39] denies communion to the last to all such apostates, because they doubled their crime, not only in absenting from the church, but in defiling themselves with idolatry also. Whereas such lower apostates as only absented themselves from religious assemblies[40] for a long time, and did not commit idolatry, if afterward they returned again to the church, they might be admitted upon ten years' penance to the communion. Cyprian[41] says, Many of his predecessors in Africa denied communion to the very last to all such as were guilty of the three great crimes, apostacy, adultery, and murder. And though this rigour was a little abated in his time, yet they still held idolatrous apostates to penance all their lives. Which is also noted by[42] Siricius, bishop of Rome, who says, Apostates were to do penance as long as they lived, and only to have the grace of reconciliation at the point of death. And this favour was allowed them only upon proviso that they returned and submitted to penance voluntarily in their lifetime, before any necessity or sickness drove them to it: for if they continued apostates to the last extremity, and only desired to be reconciled when the fear of imminent death was upon them, then, Cyprian[43] assures us, it was denied them; because it was not repentance, but the fear of approaching death only that made them desire a reconciliation. And the first council of Arles[44] made a like decree, that such apostates should not be received to communion, unless they recovered, and brought forth fruits worthy of repentance. The true reason of which severity was to deter men from depending too much on a death-bed repentance. For except in the case of martyrdom, (which Cyprian[45] allows,) such apostates had no time to demonstrate by their works that they were real penitents; and therefore the church denied them absolution, and remitted them wholly to God's unerring judgment.

Sect. 5. Of heretics and schismatics, and their punishments, both ecclesiastical and civil.

The next sort of delinquents against the first commandment were heretics and schismatics, the one of which transgressed against the doctrine of faith delivered by the church, and the other against the unity of the worship and discipline, which compacted the church into one mystical body of Christ. In each of these there were several degrees of sin, which were accordingly treated with different degrees of ecclesiastical censure. But because it was impossible for lawgivers to know the particular motives and inducements that might engage men in heresy or schism, therefore the laws were made in general terms against them, and the allowances that were proper to be made upon any occasion for the abatement of the rigour of them with respect to particular persons, were left to the discretion of the judges that were to put them in execution. I shall first give a short account of the civil penalties that were inflicted on them by the imperial laws of the state, and then consider the ecclesiastical punishments that were inflicted on them by the laws of the church.

Sect. 6. Of the civil punishments inflicted on them by the laws of the state.

The laws of the state made against heretics and schismatics by the Christian emperors from the time of Constantine, are chiefly comprised under one title, *de Hæreticis*, in the Theodosian Code, which are too many and long to be here recited: therefore I shall only give a short abstract of them, as they are collected by Gothofred,[46] in his premonition to that title. There he observes eleven distinct kinds of punishment inflicted on them in general, besides the particular laws that were made against their teachers, their bishops and clergy, and their conventicles, and all such as favoured or abetted them.

hæredes. Quos etiam præcepissemus procul abjici, ac longius amandari, nisi pœnæ visum fuisset esse majoris, versari inter homines, et hominum carere suffragiis. Sed nec unquam in statum pristinum revertentur; non flagitium morum obliteretur pœnitentia, &c.

Ibid. Leg. 5. Si quis splendor conlatus est in eos—perdant, ut de loco suo statuque dejecti, perpetua urantur infamia, &c. Vid. Leg. 6 et 7. ibid. et Cod. Theod. lib. 11. Tit. 39. de Fide Testium, Leg. 11.

[39] Conc. Eliber. can. 1. Placuit inter eos, qui post fidem baptismi salutaris adulta ætate ad templum idololatraturus accesserit, et fecerit quod est crimen principale, quia est summum scelus, placuit nec in fine eum communionem accipere.

[40] Ibid. can. 46. Si quis fidelis apostata per infinita tempora ad ecclesiam non accesserit; si tamen aliquando fuerit reversus, nec fuerit idololatra, post decem annos placuit communionem accipere.

[41] Cypr. Ep. 52. al. 55. ad Antonian. p. 110.

[42] Siric. Ep. 1. ad Himerium, cap. 3. Apostatis, quamdiu vivunt, agenda pœnitentia est, &c. See before, chap. 4. sect. 4.

[43] Cypr. ibid. p. 111. Nec dignus est in morte accipere solatium, qui non cogitavit se esse moriturum.

[44] Conc. Arelat. 1. can. 23.

[45] Cypr. de Lapsis, p. 127. It. Ep. 14. al. 19. et Ep. 55. ad Antonian. p. 102.

[46] Gothofred. Paratitlon. ad Cod. Theod. lib. 16. Tit. 5. de Hæreticis.

The first of these is the general note of infamy affixed to them all in common: the laws always styling them infamous persons, *Leg.* 7, 13, 54. *de Hæreticis. Leg.* 2. *de Fide Catholica.*

Secondly, The affixing on some particular sects special names of infamy and reproach; as when Constantine ordered the Arians to be called Porphyrians; and Theodosius junior, the Nestorians to be branded with the name of Simonians, *Leg.* 66. *de Hæreticis.*

Thirdly, All commerce forbidden to be held with them, *Leg.* 17, 18, 36, 40, 48. *de Hæreticis.*

Fourthly, The depriving them of all offices of profit and dignity in the *militia palatina*, or civil administration. Which was first enacted by Theodosius, and confirmed by the succeeding emperors, *Leg.* 9, 25, 29, 42, 48, 58, 61, 65. Particularly Gothofred commends that as an elegant saying of Honorius, *Leg.* 42. *de Hæreticis. Nullus nobis sit aliqua ratione conjunctus, qui a nobis fide et religione discedat,* We will have none employed about us, that differs from us in faith and religion. Yet he observes, that all burdensome offices, both of the camp and *curia*, what we now call military and municipal offices, were imposed upon them. Which is confirmed by one of Justinian's Novels,[47] which the learned reader may see in the margin.

Fifthly, They were rendered intestate, that is, they were unqualified either to dispose of their estates by will, or receive estates from any others. Thus, particularly, the Manichees were punished, *Leg.* 7, 9, 18, 65. *de Hæreticis, et Leg.* 3. *de Apostatis.* And so the Eunomians, *Leg.* 17, 25, 49, 50, 58. *de Hæreticis.* And the Donatists, *Leg.* 54. *de Hæreticis, et Leg.* 4. *Ne sanctum baptisma iteretur.* Pursuant to which laws all the goods of heretics, or whatever was left them, were liable to be confiscated either to the emperor's exchequer, or to the people of Rome, *Leg.* 7, 9, 17, 18, 49. *de Hæreticis.*

Sixthly, The right of giving or receiving donations was denied them, *Leg.* 7, 9, 36, 40, 49, 50, 58, 65. *de Hæreticis, et Leg.* 4. *Ne sanctum baptisma iteretur.* Only by one law some few persons were excepted, to whom they might give donations, *Leg.* 65. *de Hæreticis.*

Seventhly, The Manichees, Cataphrygians, Priscillianists, or followers of Priscilla, the Montanists, Donatists, and all that were rebaptized by them, are deprived of the right of contracting, buying, and selling, *Leg.* 40, 48, 54. *de Hæreticis, et Leg.* 4. *Ne sanctum baptisma iteretur.*

Eighthly, Pecuniary mulcts and fines were imposed upon them, *Leg.* 39, 52, 54. *de Hæreticis.* And these are often mentioned by St. Austin,[48] who yet intimates that they were seldom executed against them, and frequently begged off by the catholics interceding for them.

Ninthly, They were proscribed, transported, and banished, *Leg.* 13, 14, 15, 16, 18, 20, 29, 40, 52, 53, 57, 58. *de Hæreticis.* Thus Sozomen[49] says, Constantine banished Arius, and all who opposed the decrees of the council of Nice. And St. Austin[50] says, Constantine banished the Donatists; and all the succeeding emperors, except Julian the apostate, made severe laws against them. And Julian only recalled them in devilish policy, thinking by division of Christians into several sects, to destroy them totally out of the world. Honorius banished Jovinian into Boa, an island of Dalmatia, as is said in the law particularly made against him in the Code.[51] And Theodosius junior banished Nestorius, as the historians note,[52] after the council of Ephesus had deposed him.

Tenthly, They were also in many cases subjected to corporal punishment, scourging, &c., before they were sent into banishment, *Leg.* 21, 53, 54, 57. *de Hæreticis, et Leg.* 4. *Ne sanctum baptisma iteretur.*

Eleventhly, Finally, in some special cases they were terrified by sanguinary laws, which made them liable to death, though, by the connivance of the princes, or the intercession of the church, they were rarely put in execution against them. Gothofred says, the first law of this kind was made by Theodosius, anno 382, against the Encratites, the Saccophori, the Hydroparastatæ, and the Manichees, which is the ninth law *de Hæreticis.* After which example many other such laws were made against the heretical priests, who pretended to exercise their superstition against the prohibition of the law: and against such possessors as allowed them a conventicle to meet in; and against such as retained and concealed their pernicious books, *Leg.* 15, 16, 34, 35, 36, 38, 43, 44, 51, 53, 54, 56, 63. *de Hæreticis.*

Besides these laws and punishments, which chiefly affected their persons, Gothofred observes several other laws which tended to the extirpation of heresy. Such as, first, Those which forbid heretical teach-

[47] Justin. Novel. 45. Sunto decuriones, quemadmodum jam cohortalibus ante legibus expressum est; neque ullus religionis cultus tali eos fortuna eximito.——Indigni tamen omni curiali existunto honore. Et quia multa leges decurionibus privilegia tribuunt, tum ne ictus fustium illis inferatur, &c., nullo horum perfruuntor.——Implento tam personalia quam patrimonialia munera, neque eos lex ab his eximat: honore autem nullo perfruuntor, sed fortunam sustinento cum infamia.

[48] Aug. Ep. 68. ad Januar. p. 124. Pœna decem librarum auri, quæ in hæreticos ab imperatoribus fuerat constituta, &c. Vid. Ep. 50. ad Bonifac. Item Ep. 166, 167, 173. Cont. Crescon. lib. 3. cap. 47. Cont. Epist. Parmen. lib. 1. cap. 12.

[49] Sozom. lib. 1. cap. 20.

[50] Aug. Ep. 152. ad Donatistas, Ep. 166. p. 289.

[51] Cod. Theod. lib. 16. Tit. 5. de Hæreticis, Leg. 53.

[52] Socrat. lib. 7. cap. 34. Evagr. lib. 1. cap. 7.

ers to propagate their doctrine publicly or privately, *Leg.* 3, 5, 13, 24. *de Hæreticis, et Leg.* 2. *Ne sanctum baptisma iteretur.*

Secondly, The laws which forbid heretics to hold public disputations by gathering companies of people together, *Leg.* 46. *de Hæreticis, et Leg.* 1, 2, 3. *de his qui super religione contendunt.*

Thirdly, Those which forbid heretics to ordain bishops, presbyters, or any other clergy, *Leg.* 12, 14, 21, 22, 24, 26, 27, 57, 58, 65. *de Hæreticis.*

Fourthly, Such as deny to those that are so ordained, the names and privileges of bishops and clergy, *Leg.* 1, 24, 26, 28. *de Hæreticis. Leg.* 2 *et* 3. *de Episcopis. Leg.* 1. *Ne sanctum baptisma iteretur.*

Fifthly, Such laws as prohibit all heretical conventicles and assemblies, *Leg.* 4, 5, 6, 10, 11, 12, 14, 15, 19, 20, 21, 26, 30, 45, 52, 53, 54, 56, 65. *de Hæreticis, et Leg.* 7. *Ne sanctum baptisma iteretur.*

Sixthly, Such as forbid heretics to build conventicles, *Leg.* 1, 2, 6, 7, 8, 12, 30, 65. *de Hæreticis, et Leg.* 3. *de Fide Catholica.* And forbid any one to leave any legacy to them, *Leg.* 65. *de Hæreticis.* And ordering both the conventicles, and whatever was so bequeathed to them, either to be confiscated to the public exchequer, *Leg.* 3, 4, 8, 12, 21, 30. *de Hæreticis;* or else to be given to the use of the catholic churches, *Leg.* 43, 52, 54, 57, 65. *de Hæreticis, et Leg.* 2. *Ne sanctum baptisma iteretur.* Only excepting the Novatians, to whom Constantine showed a little favour, because, though they were schismatical, yet they held to the catholic faith, *Leg.* 2. *de Hæreticis. Socrat. lib.* 2. *cap.* 30. *lib.* 5. *cap.* 10. *Sozomen. lib.* 8. *cap.* 1.

Seventhly, Such laws as allow slaves to inform against their heretical masters, and gain their freedom by coming over to the church, *Leg.* 40. *de Hæreticis, et Leg.* 4. *Ne sanctum baptisma iteretur.*

Eighthly, Such laws as deny the children of heretical parents their patrimony and inheritance, except they returned to the catholic church, *Leg.* 7, 9, 40. *de Hæreticis, et Leg.* 7. *Ne sanctum baptisma iteretur.*

Ninthly, Such laws as order the books of heretics to be burned, *Leg.* 34 *et* 65. *de Hæreticis.*

This is the short account of those several penal laws which the emperors made against heretics, from the time of Constantine to Theodosius junior and Valentinian III., which the learned reader may find at length under their respective titles in both the Theodosian and Justinian Code. It is sufficient here to have given an abstract of them, which may serve to give some light to the laws of the church that were made against them, which I now proceed to give a more particular account of, as more properly relating to the discipline of the church.

Sect. 7. How heretics were treated by the discipline of the church. 1. They were anathematized, and cast out of the church.

And here we may observe, in the first place, that heresy was always accounted one of the principal crimes that a Christian could be guilty of, as being a sort of apostacy from the faith, and a voluntary apostacy, which was a circumstance that added much to the heinousness of the offence. Therefore Cyprian, comparing the crimes of heretics and schismatics with those that lapsed into idolatry by the violence of persecution, says,[53] This is a worse crime than that which the lapsers may seem to have committed, who yet do a severe penance for their crime, and implore the mercy of God by a long and plenary satisfaction. The one seeks to the church, and humbly entreats her favour; the other resists the church, and proclaims open war against her. The one has the excuse of necessity; the other is detained in his crime by his own will only. He that lapses, hurts himself alone; but he that endeavours to make a heresy or schism, draws many others with him into the same delusion. Here is only the loss of one soul; but there a multitude is drawn into danger. The lapser is sensible that he has committed a fault, and therefore he mourns and laments for it; but the other grows proud, and swells in his crime, and pleasing himself in his errors, he divides the children from the mother, tempts and solicits the sheep from the shepherd, and disturbs the sacraments of God. And whereas a lapser sins but once, he sins every day. Finally, a lapser may afterward become a martyr, and obtain the promises of the kingdom; but the other, being out of the church, cannot attain to the rewards of the church, although he be slain for religion. This last argument is often insisted on by Cyprian,[54] and St. Austin, and Chrysostom, and others, to deter men from engaging in heresy and schism; and it implies that heretics did voluntarily cut themselves off from the communion of the church, and stood condemned of themselves (as the apostle words it, and some of the ancients understand it) by a voluntary excommunication, or separation of themselves from the church. Yet this did not hinder, but that, notwithstanding any such separation of themselves, the church ordinarily pronounced a more formal anathema, or excommunication, against them. As the council of Nice ends her creed with an anathema against all those who opposed the doctrine there delivered; and the council of Gangra closes every canon with anathema against the Eustathian here-

[53] Cypr. de Unit. Eccles. p. 117.

[54] Vid. Cypr. ibid. p. 109, 113, 114. Ep. 55. ad Antonian. p. 108 et 114. Ep. 57 et 60. ad Cornel. Aug. cont. Literas Petilian. lib. 2. cap. 23. de Bapt. lib. 4. cap. 17. Ep. 61. et 204. Chrys. Hom. 11. in Ephes.

tics; and there are innumerable instances of this kind in the tomes of the councils, which it would be next to impertinent here only to refer to, they are so well known to all that have ever looked into them.

Sect. 8. 2dly, Debarred from entering the church by some canons, though not by all.

To proceed, then: when they were once formally excommunicated, so long as they continued impenitent, they were by some rules of discipline debarred from the very lowest privileges of church communion; being forbidden to enter the church, so much as to hear the sermon, or the Scriptures read, in the service of the catechumens. The council of Laodicea[55] has a canon to this purpose, "That heretics, so long as they continue in their heresy, shall not be permitted to enter into the house of God." And it is probable this rule might be observed in the strict discipline of some churches. But it was no general rule: for I have had occasion to show before,[56] out of the African and Spanish councils, and several passages of St. Chrysostom's homilies, that liberty was granted to heretics, together with Jews and heathens, to come into the church and hear the sermon preached and the Scriptures read, being these were proper for their instruction. They thought it not impossible but that heretics might be converted in the church, as Polemon, a debauched young man, was converted in the school of Xenocrates; when, coming drunk and with his bacchanal wreaths about his head to hear the philosopher read his lecture, (which happened to be about temperance and modesty,) he was so affected therewith, that he not only became his scholar and his convert, but his successor also in the school of Plato.[57] The historians tell us, that Chrysostom, by this means, brought over many to acknowledge the Divinity of Christ, whilst they had liberty to come to hear his sermons.[58] And the fathers of the council of Valentia, in Spain,[59] give this as the reason why they allowed heathens and heretics to come and hear the bishops preaching, and the reading of the Scriptures, because they had found by experience, that many by this means had been converted to the faith. So that the church, which always studied men's edification, and not their destruction, in prudence so ordered her discipline, as to encourage heretics to frequent one part of her service, which she allowed to her penitents and catechumens. And if heretics were at any time denied it, there was some very particular and extraordinary reason for it.

Sect. 9. 3dly, No one to encourage heretics and schismatics, by frequenting their assemblies.

But there was not the same reason for allowing catholics to frequent the assemblies or conventicles of heretics and schismatics; because this, instead of converting them, had rather been to have confirmed and hardened them in their errors; and therefore the prohibition in this case was more peremptory and universal, that no one should join with heretics in any religious offices, and least of all in their conventicles, under pain of excommunication. To this purpose the Apostolical Canons, If any bishop, presbyter, or deacon, pray with heretics, let him be suspended: but if he suffer them to officiate as clergymen,[60] let him be deposed. And again,[61] If any clergyman or layman go into a synagogue of Jews or heretics to pray, let him be excommunicated or deposed. In like manner the council of Laodicea,[62] None of the church are permitted to go to the cemeteries or martyries of heretics for prayer or worship, under pain of excommunication for some time, till they repent and confess their error. And again,[63] It is not lawful to pray with heretics or schismatics. The assembly of heretics, says the council of Carthage,[64] is not a church, but a conventicle. Therefore, with heretics[65] no one shall either pray or sing psalms. If a catholic, says the council of Lerida,[66] offer his children to be baptized by heretics, his oblation shall in no wise be received in the church. But then this was to be understood, where a man might have baptism from a catholic, and he chose rather to go to a heretic to receive it, without any necessity to compel him so to do. For otherwise, as has been observed before, out of several places of St. Austin,[67] in case of extreme necessity, a man was allowed to receive baptism from a heretic, rather than die without it. This was not esteemed any breach of catholic unity, neither was it the case which the discipline of the church respected, when she forbade men to encourage heretics by a voluntary joining with them, and receiving baptism from them. Cyril of Jerusalem, in this sense,[68] bids his catechumen abhor especially the conventicles of impious heretics, and have no communication with them. Chrysostom compares heretics to those[69] that deface the king's coin: Though it be but in one point, they subvert the gospel thereby, and therefore catholics ought to

[55] Conc. Laodic. can. 6. [56] Book XIII. chap. 1. sect. 2.

[57] Vid. Valer. Maximum, lib. 6. cap. 9.

[58] Sozom. lib. 8. cap. 2. [59] Conc. Valentin. can. 1.

[60] Canon. Apost. 45. [61] Ibid. can. 65.

[62] Conc. Laodic. can. 9. [63] Ibid. can. 33.

[64] Conc. Carth. 4. can. 71. Hæreticorum cœtus non ecclesia, sed conciliabulum est.

[65] Ibid. can 72 Cum hæreticis nec orandum nec psallendum

[66] Conc. Ilerdense, can. 13. Catholicus, qui filios suos in hæresi baptizandos obtulerit, oblatio illius in ecclesia nullatenus recipiatur. Vid. Hieron. Dialog. cum Lucifer. cap. 5. Sciens ab hæreticis baptizatus, erroris veniam non meretur.

[67] Aug. de Bapt. lib. 1. cap. 2. et lib. 6. cap. 5. lib. 7. cap 52. See these cited at large before, chap. 1. sect. 4.

[68] Cyril. Catech. 4. n. 23. Ἐξαιρέτως μίσει πάντα τὰ συνέδρια τῶν παρανόμων αἱρετικῶν.

[69] Chrys. in Galat. i. p. 972.

make a separation from them. No one, he says,[70] ought to maintain any friendship with heretics. Since they maintain different doctrines, men ought not to mingle or join in their assemblies with them. And he adds, That to divide the church by schism, is no less a crime than to fall into heresy, because it exposes the church to the ridicule of the Gentiles. There he also urges[71] that famous saying of Cyprian, The blood of martyrdom cannot blot out this crime. For why art thou a martyr? Is it not for the glory of Christ? If therefore thou layest down thy life for Christ, why dost thou lay waste his church, for which Christ laid down his own life? Thus the ancients dissuade men from encouraging heretics and schismatics by resorting to their assemblies.

Sect. 10. 4thly, No one to eat or converse with heretics, or receive their presents, or retain their writings, or make marriages with them, &c.

There were many other marks of infamy and disgrace set upon heretics by the laws of the church joining with the laws of the state, to give men a greater abhorrence of them. No one was so much as to eat at a feast or converse familiarly with them; no one might receive their *eulogiæ*, or festival presents; nor read or retain their writings, but discover and burn them; no one might make marriages or enter into any affinity with them, except they would promise to return into the catholic church. As long as they continued in heresy, their names were struck out of the diptychs of the church; and if they died in heresy, no psalmody or other solemnity was used at their funeral; no oblations were offered for them, nor any memorial ever after made of them in the solemn service of the church. But because I have spoken of these things fully in the general description of the church's treatment of excommunicate persons before,[72] it may be sufficient only to have hinted these several points in this place, because these punishments were not peculiar to heretics, but belonged to all in general that were under the censure of excommunication.

Sect. 11. 5thly, Heretics not allowed to be evidence in any ecclesiastical cause against a catholic.

Yet there are two things of this kind, which it may not be improper to speak a little more particularly of here. 1. That by the laws of the church, as well as the state, heretics were rendered infamous, and their testimony was not to be taken as evidence in any ecclesiastical cause whatsoever. The testimony of a heretic shall not be taken against a bishop, say the Apostolical Canons.[73] In all judgment, says the council of Carthage,[74] examination shall be made into the conversation and faith both of the accuser and defendant. In the African Code there are two canons to this purpose, the one forbidding all excommunicate persons[75] (under which heretics are comprehended) to be evidence against any man, during the time of their suspension. And the other expressly naming heretics[76] among many others whose testimony was not to be admitted in law: such as slaves and freedmen against their own masters; all mimics, and actors, and such other infamous persons; all Jews and heathens; and all such whose testimony was reprobated by the laws of the state; except it were in some matter of their own private concerns, in which case every man was to have justice, and any one allowed to accuse another. The same equitable distinction is made by a general council of Constantinople:[77] A man might have a private cause of complaint against a bishop; as, that he was defrauded in his property, or in any the like cases injured by him; in which case his accusation was to be heard, without considering at all the quality of the person or his religion. For a bishop was to keep a good conscience, and any man that complained of being injured by him, was to have justice done him, whatever religion he was of. But if the crime was purely ecclesiastical that was alleged against him, then the personal qualities of the accusers were to be examined; and in the first place, heretics are not allowed to accuse orthodox bishops in causes ecclesiastical; neither any excommunicated persons, before they had first made satisfaction for their own crimes. Gothofred indeed questions whether there be any law in the Theodosian Code, which thus unqualifies heretics from giving evidence; for though there be a law of Valentinian's twice repeated in two distinct titles,[78] declaring the proper qualifications of witnesses, yet he thinks in both places it is to be understood of apostates only, and not of heretics. But it is certain in Justinian's Code[79] this same law is applied to heretics, rendering them incapable of giving evidence. And Justinian made two laws of his own to confirm this sense of the ancient law. In one of which[80] he says, That whereas the judges were at some doubt, whether

[70] Chrys. Hom. 11. in Ephes. p. 1102 et 1108.

[71] Ibid. p. 1107.

[72] Chap. 2. sect. 11, &c.

[73] Canon. Apost. 75.

[74] Conc. Carthag. 4. can. 96.

[75] Cod. African. can. 129.

[76] Ibid. can. 130.

[77] Conc. Constant. can. 6.

[78] Cod. Theod. lib. 11. Tit. 39. De Fide Testium, Leg. 11. Hi qui sanctam fidem prodiderint, et sacrum baptisma profanarint, a consortio omnium segregati, sint a testimoniis alieni, &c. Idem repetitur, lib. 16. Tit. 7. De Apostatis, Leg. 4.

[79] Cod. Justin. lib. 1. Tit. 7. De Apostatis, Leg. 3. Hi, qui sanctam fidem prodiderunt, et sanctum baptisma hæretica superstitione profanarunt, a consortio omnium segregati, a testimoniis alieni sint.

[80] Ibid. Tit. 5. De Hæreticis, lib. 1. Leg. 21. Quoniam multi judices in dirimendis litigiis nos interpellaverunt, nostro indigentes oraculo, ut eis referretur, quid de testibus hæreticis statuendum sit, utrumne accipiantur eorum testimonia, an respuantur: sancimus, contra orthodoxos quidem litigantes, nemini hæretico, vel his etiam qui Judaicam superstitionem colunt, esse in testimonio communionem; sive utraque pars orthodoxa sit, sive altera. Inter se autem

they should admit the testimony of heretics in determining causes, he thus resolved the matter for their instruction: That where a catholic was concerned in any dispute, neither heretic nor Jew should be allowed to give evidence, whether both parties were catholics, or only one: but in such causes as Jews or heretics had between themselves, the testimony of either might indifferently be admitted, as fit witnesses for such disputers; yet with an exception to all those who were of the mad sect of the Manichees, of which the *Borboritæ* were a part, and all who still followed the pagan superstition: also all Samaritans, and Montanists, and *Tascodrogitæ* and *Ophitæ*, who differed not much from the Samaritans in the likeness of their guilt; all such are prohibited universally either to give testimony, or to prosecute any action at law. And he mentions and confirms this decree in one of his Novels[81] also. But whether Justinian was the first that made this law in the state against heretics, as Gothofred would have it, or not, is not very material: it is certain there was such a rule in the church long before. For St. Austin pleads it in behalf of one of his own presbyters,[82] Secundinus of Germanicia, a place in his diocese: Against a catholic presbyter we neither can nor ought to admit the accusations of heretics. And so he says again, in the case of Cecilian, bishop of Carthage, whom the Donatists accused of many crimes: Neither piety, nor charity, nor truth,[83] will allow the testimony of those men against him, whom we see to be out of the church. And long before him, Athanasius[84] pleaded the same in his own behalf: when he was accused for suffering Macarius, one of his presbyters, to break the communion cup, he urged, That his accusers were Meletians, who ought not to be credited, being schismatics and enemies both to him and the church. A great many such rules are collected by Gratian[85] out of the epistles of the ancient popes, which, though they be spurious, yet they are founded upon this known practice of the church, that the testimony of a heretic was not to be received against a catholic in an ecclesiastical cause, which we have seen fully evinced in the preceding allegations.

Sect. 12. 6thly, Heretics not allowed to succeed to any paternal inheritance.

The other thing here to be observed is, that by the laws of the church all men, or ecclesiastics at least, were obliged to discourage heresy by denying obstinate defenders of it such temporal benefits and privileges as it was in their power to deny them. Thus, for instance, the council of Carthage[86] forbids the bishops and clergy to confer any donations upon heretics, though they be of their kindred, either by gift or will. And the civil law gave force to this decree, by rendering all heretics intestate, that is, incapable either of disposing of their own estates, or of receiving any benefit from the wills of others, as we have seen before, (sect. 6,) in speaking of the civil sanctions made against them.

Sect. 13. 7thly, No heretic to have promotion among the clergy after his return to the church.

Another law of this kind was that which forbade the ordination of such as were either baptized in heresy, or fell away after they had been baptized in catholic unity in the church. They were allowed to be received as penitent laymen, but not to be promoted to any ecclesiastical dignity in any order of the clerical function. But this was a piece of discipline that might be insisted on, or dispensed with and waved, according as church governors in prudence thought most for the benefit and advantage of the church. And therefore, though the council of Eliberis[87] and some others insist upon this rule, yet the council of Nice dispensed with it in the case of the Novatians, and the African fathers in the case of the Donatists, to encourage those schismatics to return to the unity of the church. But I only just mention this here, because I have more fully stated it on both sides upon other occasions in the preceding parts[88] of this work, to which the reader may have recourse.

Sect. 14. 8thly, No one to be ordained who kept any in his family that were not of the catholic faith.

And there I have also anoted another rule, which relates to the matter now in hand; which was, that no one should be ordained bishop, presbyter, or deacon, who had not first made all the members of his family catholic Christians. This is a rule we find in the third council of Carthage,[89] where St. Austin was present: and there is no question but that it was chiefly designed against the Donatists,

hæreticis vel Judæis, ubi litigandum existimaverint, concedimus fœdus permixtum, et dignos litigatoribus testes introducere: exceptis scilicet his, quos vel Manichaicus furor, cujus partem et Borboritas esse manifestum est, vel pagana superstitio detinet: Samaritis nihilo minus, et qui illis non absimiles sunt, Montanistis, et Tascodrogitis, et Ophitis; quibus pro reatus similitudine omnis legitimus actus interdictus est, &c.

[81] Novel. 45. Hæreticos perhibere testimonium prohibuimus, quando orthodoxi inter alterutros litigant, &c.

[82] Aug. Ep. 212. ad Pancarium. Hæreticorum accusationes contra catholicum presbyterum admittere nec possumus nec debemus.

[83] Ep. 50. ad Bonifac. Ipsa pietas, veritas, charitas, non permittit contra Cæcilianum eorum hominum admittere testimonia, quos in ecclesia non videmus.

[84] Athan. Apol. ad Constant. t. 1. p. 731.

[85] Gratian. Caus. 3. Quæst. 4 et 5.

[86] Conc. Carth. 3. can. 13. Ut episcopi vel clerici, in eos qui catholici Christiani non sunt, etiamsi consanguinei fuerint, nec per donationes, nec per testamentum, rerum suarum aliquid conferant. Vid. Cod. African. can. 22. Et Conc. Africanum vulgo dictum, can. 48.

[87] Conc. Eliber. can. 51.

[88] Book IV. chap. 3. sect. 12. And Scholast. Hist. of Bapt. Part II. chap. 4.

[89] Conc. Carth. 3. can. 18. Ut episcopi, presbyteri, et diaconi non ordinentur, priusquam omnes, qui sunt in domo eorum, Christianos catholicos fecerint.

though it equally affects all heretics, and Jews and pagans, and all who secretly by connivance gave any encouragement to them: it being thought absurd to promote those to the government of the church, who had not zeal or interest enough to secure the practice of true religion within the walls of their own families. And the rule tending directly to discourage heresy, I therefore mention it here as a branch of the ancient discipline worthy our observation.

Sect. 15. No one to bring his cause before an heretical judge, under pain of excommunication.

Neither can I pass over another rule of the fourth council of Carthage, which forbids catholics[90] to bring any cause, whether just or unjust, before an heretical judge, under pain of excommunication. This does not indeed deprive heretical judges of their office, or render their decisions null, when the state thinks fit to allow them, as it sometimes did under Constantius and Valens, and other heretical emperors. For the church has no power in this case, which belongs to the civil, and not the ecclesiastical power, as has been[91] showed before. But the church had power to lay an injunction upon all her members, not to bring their causes before an heretical judge, by a just analogy to that rule of the apostle, not to go to law before the unbelievers. And this was one way to discountenance heresy in men of the highest station: and for this reason we may suppose the church enjoined it, to give a check to heretics, by obliging catholics to end their controversies among themselves, and have no communication with heretics or unbelievers.

Sect. 16. What term of penance imposed upon relenting heretics.

We have hitherto considered the punishments laid upon heretics continuing in their obstinacy and perverseness, and bidding defiance to the communion of the church. We are now to view the church's discipline and behaviour toward them, when they showed any disposition to relent and return to the unity of the faith. Now, heresy being reckoned among the greatest of crimes, a proportionable term of penance was laid upon it. The council of Eliberis[92] appoints ten years' penance for such as went over from the catholic church to any heresy, if ever they returned and made confession of their crime, before they should be admitted to communion. Only an exception is made in the case of infants, because their fault was not their own, but their parents': therefore they are ordered to be received without any delay. The council of Rome under Felix[93] sets a more particular mark upon bishops, presbyters, and deacons, who suffered themselves to be rebaptized by heretics, because this was in effect to deny their Christianity, and own that they were pagans. Such are denied communion even among the catechumens all their lives, and only allowed lay communion at the hour of death. Others[94] are enjoined the same penance as the council of Nice puts upon lapsers, that is, twelve years, in the several stations of penitents, unless they had the plea of necessity, or fear, or danger to excuse them. But if they were children,[95] their ignorance and immaturity was a more reasonable plea to shorten their penance, and restore them more speedily to communion. The council of Agde[96] contracted this term of penance universally for all such lapsers into heresy, reducing it to the term of three years only. For though the ancient canons imposed a longer penance, yet they saw good reason to relax this severity, and make the conditions of reconciliation a little easier. The council of Epone[97] repeats and confirms this decree, with a little various reading of one clause, which reduces the term of penance to two years only.

Sect. 17. How this varied according to the age and state and condition of several sorts of heretics.

It appears from some of the forementioned canons, that a great difference was made in the term of penance imposed upon heretics, with respect to the age of the offenders. Children were more favourably dealt with, by reason of their ignorance and want of mature judgment, than adult persons. And we may observe the same difference made in many other cases of the like nature. They who were baptized and educated in the catholic faith, were more severely treated, if after that they deserted the church, and fell into heresy, and especially such heresies as required them to take a new baptism. The foresaid canons chiefly respect deserters; and particularly that of Felix in the Roman council, such as were rebaptized in heresy:

[90] Conc. Carth. 4. can. 87. Catholicus qui causam suam, sive justam sive injustam, ad judicium alterius fidei judicis provocat, excommunicetur.

[91] Chap. 2. sect. 5.

[92] Conc. Eliber. can. 22. Si quis de catholica ecclesia ad hæresim transitum fecerit, rursusque ad ecclesiam recurrerit —decem annis agat pœnitentiam, cui post decem annos præstari communio debet. Si vero infantes fuerint transducti, quia non suo vitio peccaverint, incunctanter recipi debent.

[93] Conc. Rom. an. 487. can. 2. Ad exitus sui diem in pœnitentia (si resipiscunt) jacere conveniet: nec orationi non modo fidelium, sed nec catechumenorum omnimodis interesse, quibus communio laica tantum in morte reddenda est.

[94] Ibid. can. 3.

[95] Ibid. can. 4. Pueris autem, quibus ignorantia suffragatur ætatis, aliquandiu sub manus impositione detentis, reddenda communio est: nec eorum expectanda pœnitentia, quos excipit a coercitione censura.

[96] Conc. Agathen. can. 60. Lapsis, id est, qui in catholica fide baptizati sunt, si prævaricatione damnabili post in hæresim transierint, grandem redeundi difficultatem sanxit antiquitas. Quibus nos, annorum multitudine breviata, pœnitentiam biennii imponimus, ut præscripto biennio, tertio sine relaxatione jejunent, et ecclesiam studeant frequentare, &c.

[97] Conc. Epaunen. can. 29. Præscripto biennio tertia die sine dilatione jejunent, &c.

concerning which both the civil and ecclesiastical laws speak with great indignation and severity; the one confiscating the goods of all rebaptizers, and banishing their persons; and the other requiring the rebaptized to go through a long course of penance in order to their readmission to the communion of the church again; of which the reader may find a more ample account in a former Book,[98] under the proper title of rebaptization. Whereas they that were born and bred and baptized originally among heretics, had more favourable allowances made them, with respect to their difficult circumstances, and great prejudices naturally arising thence. This is expressly said by St. Austin,[99] in one of his epistles to a Donatist bishop: The church has one way of treating those who desert her, if ever they repent; and another way of treating those who were never before in her bosom, till they come to beg her peace: she humbles the former by a severer discipline, but receives the latter more gently, loving both, and ministering to the cure of both with the charity and affection of a mother. So again, in his book of One Baptism,[100] against Petilian, We observe this distinction, to humble those who were once in the catholic church, and afterward desert it, with a severer penance, than those who were never in it. Neither do we admit them into the clergy, whether they were rebaptized by them, or run over to them, or were clergymen or laymen among them. This distinction was particularly observed by the African synods with relation to such persons as were baptized in their infancy among the Donatists: in the council of Carthage, anno 397, which is inserted into the African Code,[101] a proposal was made, That such as had been baptized among the Donatists in their infancy, by their parents' fault, without their own knowledge and consent, should, upon their return to the church, be allowed the privilege of ordination: and in the next council[102] the proposal was accepted, and a decree passed accordingly in favour of them. The council of Nice[103] granted the same indulgence to the Novatian clergy: but we rarely find any of those who deserted the church in which they had been baptized, allowed this privilege; the laws being more peremptory against them, to debar them from all clerical dignity, and only receive them as private Christians to lay communion.

Sect. 18. Heresiarchs more severely treated than their followers.

Yet considerations of prudence sometimes obliged the church to dispense with those laws also, and receive even deserters, in some cases, to clerical dignity again; of which I have given some instances in a former Book.[104] But then she always set a mark of infamy upon heresiarchs, or first founders of heresy, making a distinction between them and those that followed them; allowing the one sometimes to continue in the clerical function upon their repentance, but commonly degrading the other without hopes of restitution. St. Austin takes notice of this difference in the case of the Donatists: he says,[105] The church of Africa observed this moderation from the beginning toward them, according to the decree made by those in the Roman church, who were appointed to judge and decide the dispute between Cecilian and the party of Donatus: they condemned only Donatus, who was proved to be the author of the schism; but ordered the rest to be received in their clerical honours upon their repentance, although they were ordained out of the catholic church.

Sect. 19. And voluntary deserters more severely, than they who complied only out of fear.

Another distinction was made, as in the case of lapsers into idolatry, between such heretics as voluntarily deserted the church out of choice, and those who complied with heretical errors only by force and compulsion, being terrified into them by the violence of some persecution. In this latter case, bishops were allowed to moderate their penance, as the circumstances of the matter seemed to require. As appears from the direction[106] given by Pope Leo to the bishop of Aquileia, concerning the penance of such as were compelled by fear and violence offered to them by certain heretics, to submit to a second baptism: They were to be put under penance, he says, for some time, but a moderation was to be used in the term of it, according to the bishop's discretion.

Sect. 20. A difference made between such here-

Another difference was made between such heretics as retained the

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[98] Book XII. chap. 5. sect. 7.

[99] Aug. Ep. 48. ad Vincentium, p. 73. Aliter tractat illos, qui eam deserunt, si hoc ipsum pœnitendo corrigant; aliter illos, qui in ea nondum fuerunt, et tunc primum ejus pacem accipiunt: illos amplius humiliando, istos lenius suscipiendo, utrosque diligendo, utrisque sanandis materna caritate serviendo.

[100] Aug. De Unico Bapt. cap. 12. Nec illud sine distinctione præterimus, ut humilio remagant pœnitentiam, qui jam fideles ecclesiam catholicam deseruerunt, quam qui in illa nondum fuerunt. Nec ad clericatum admittuntur, sive ab hæreticis rebaptizati sint, sive prius suscepti ad illos redierint, sive apud illos clerici vel laici fuerint.

[101] Cod. African. can. 48.

[102] Ibid. can. 58.

[103] Conc. Nic. can. 8.

[104] Book IV. chap. 7. sect. 7 and 8.

[105] Aug. Ep. 50. ad Bonifac. p. 87. Hoc erga istos ab initio servavit Africa catholica, ex episcoporum sententia, qui in ecclesia Romana inter Cæcilianum et partem Donati judicaverunt; damnatoque uno quodam Donato, qui auctor schismatis fuisse manifestatus est, cæteros correctos etiamsi extra ecclesiam ordinati essent, in suis honoribus suscipiendos esse censuerunt.

[106] Leo, Ep. 79. ad Nicetam, cap. 6. Qui ad iterandum baptismum vel metu coacti sunt, vel terrore traducti, his ea custodienda est moderatio, qua in societatem nostram non nisi per pœnitentiæ remedium, et per impositionem episcopalis manus, communionis recipiant unitatem; temporis pœnitudinis habita moderatione, tuo constituenda judicio, &c.

ties as retained the form of baptism, and such as rejected or corrupted it.

due form of baptism, and those who wholly rejected it, or corrupted it in any essential part. The former were to be received only by imposition of hands, confessing their error, as having received a true baptism, though out of the church, before; but the other were to be received only as heathens, having never been truly baptized, and therefore were obliged to receive a new baptism to make them members of the church. Of which, because I have given a full account[107] elsewhere, I need say no more in this place.

Sect. 21. No one to be reputed a formal heretic, before he contumaciously resisted the admonition of the church.

Finally, they made some distinction between such heretics as contumaciously resisted the admonitions of the church, and such as never had any admonition given them, or amended quietly upon the first admonition. Men might entertain very dangerous errors, but till the church had given them a first and second admonition, according to the apostle's rule, they were not reputed formal heretics, nor treated as such, till they joined contumacy to their error. St. Austin[108] puts the case thus between two men, who are equally involved in the error of Photinianism, denying the Divinity of Christ; but the one is baptized in heresy out of the communion of the catholic church; the other is baptized in the catholic church, having the same error, which he believes to be the catholic faith: I do not yet call this man a heretic, unless, when the doctrine of the catholic faith is declared to him, he chooses rather to resist it, and hold to his former opinion: before he does this, he that is baptized out of the church is plainly the worse of the two. But that man is worse than both the former, who, knowing this opinion, which he holds only to be taught among heretics divided from the church, yet, for some secular end and advantage, chooses to be baptized in the church, and continue in it after baptism: this man is not only to be accounted a separatist, but so much the more wicked one for adding heresy to his error, and dissimulation and hypocrisy to the division of the faith. In another place[109] he says, They are properly heretics, who, when they are reproved for their unsound opinions, contumaciously resist; and instead of correcting their pernicious and damnable doctrines, persist in the defence of them, and leave the church, and become her enemies. But they who[110] defend not their opinion, though false and perverse, with any pertinacious animosity, especially if they were not the first broachers of it, but received it from the seduction of their parents, and were careful in their inquiries after truth, being ready to embrace it when they found it; they were not to be reckoned among heretics. And with much stronger reason, we have heard him[111] say before, That a man who in extreme necessity received baptism from heretics, when he could not have a catholic to administer it to him, was in no fault, because his mind and will was still united to the catholic church. From all which it is easy to discern, how great a difference they made in the degrees of heresy and its guilt, and how the discipline of the church was managed in a great measure according to these distinctions.

Sect. 22. The like distinctions observed in inflicting the censures of the church upon schismatics, according to the different nature and various degrees of their schism.

I have already[112] showed, that a like discrimination was made between schismatics of different kinds, and that the censures of the church were inflicted on them only in proportion to the quality of their offence, observing the different nature and various degrees of their separation or schism. Some only absented from church for a short time, suppose two or three Lord's days successively, without any justifiable reasons for it: and it was thought sufficient to correct such by a moderate punishment of as many weeks' suspension. Others attended some part of the service, suppose the sermon, and the psalmody, and the first prayers for the catechumens; but then withdrew, as if they had been penitents, when the service of the faithful or the communion office came on, and the eucharist was to be offered and received by all that were not for some fault excluded from it: and these, as greater criminals, were denied the privilege of making any oblations, and excluded for some time from all other holy offices of the church. A third sort of separatists, which are most properly called schismatics, were such as withdrew totally and universally from the communion of the church; pretending that her communion was polluted and profane by the mixture of sinners; or finding out other such reasons to charge her with sinful terms of communion, and justify their own separation by many the like pretences, of which the history of the Novatians and Donatists affords many instances. Now, against these the church commonly proceeded

[107] Book XI. chap. 2. and 3. And Scholast. Hist. of Bapt. Part I. chap. 1. sect. 20, &c.

[108] Aug. de Bapt. lib. 4. cap. 16. Constituimus duos aliquos isto modo, unum eorum, verbi gratia, id sentire de Christo quod Photinus opinatus est, et in ejus hæresi baptizari extra ecclesiæ catholicæ communionem: alium vero hoc idem sentire, sed in catholica baptizari, existimantem istam esse catholicam fidem. Istum nondum hæreticum dico, nisi manifestata sibi doctrina catholicæ fidei resistere maluerit, et illud, quod tenebat, elegerit; quod antequam fiat, manifestum est, illum, qui foris baptizatus est esse pejorem, &c.

[109] De Civ. Dei, lib. 18. cap. 51. Qui in ecclesia Christi morbidum aliquid pravumque sapiunt, si correpti, ut sanum rectumque sapiant, resistunt contumaciter, suaque pestifera et mortifera dogmata emendare nolunt, sed defensare persistunt; hæretici fiunt, et foras exeuntes, habentur in exercentibus inimicis.

[110] Ep. 162. p. 277. See this cited before, chap. 1. sect. 16.

[111] Aug. de Bapt. lib. 1. cap. 2. lib. 6. cap. 5. lib. 7. cap. 52. See before, chap. 1. sect. 4.

[112] Book XVI. chap. 1. sect. 5.

more severely, using the highest censure of excommunication or anathema, as against more professed and formal schismatics, and destroyers of that inviolable unity and peace which ought to be most sacredly preserved in the body of Christ. Of all which schismatics, and their punishments, because I have spoken particularly before in discoursing of the unity of the church, I need say no more in this place, but proceed to another crime, that of sacrilege, which comes next in order to be considered.

Sect. 23. Of sacrilege. Particularly of diverting things appropriated to sacred uses, to other purposes.

The Roman casuists[113] are wont to call many things sacrilege, which the ancients reckoned no crimes at all; as the laying taxes or tribute upon ecclesiastics by the civil power, without the consent of the pope, for which secular princes are excommunicated by the famous bull in *cœna Domini*, as they call it; and the bringing ecclesiastical persons for any crime before the secular tribunals. Some other things they brand with the odious name of sacrilege, which many of the ancients reckoned to be virtues, and instances of zeal and piety towards God; as the removing of images out of all places of Divine worship; for which the council of Eliberis, and Epiphanius, and many others, were so remarkable in ancient history, who yet, if we were to speak in the style and language of these modern casuists, were to be reckoned guilty of the horrid sin of sacrilege. Since, therefore, the matter stood thus, we are not to expect to find any punishments, in the penitential discipline of the ancient church, allotted to such mere pretended crimes and imaginary vices. But against real sacrilege none could be more zealous than the ancients; particularly against diverting any thing to private use, which was given to the public service of the church. "If any one," say the Apostolical Canons,[114] "either of the clergy or laity, take wax or oil out of the church, let him be cast out of communion, and make restitution with the addition of a fifth part." And, again,[115] "Let no one divert to his own use any of the sacred utensils of gold, or silver, or linen, for it is a flagitious thing; and if any one be apprehended so doing, let him be excommunicated." So likewise in the fourth council of Carthage, "Let those[116] who deny the church such oblations as are given by the dead, or give them not without difficulty, be excommunicated as murderers of the poor." And the second[117] council of Vaison, "They who detain the oblations, and refuse to give them to the church, are to be cast out of the church as infidels; for such a provocation of God, is a denying of the faith; both the faithful, who are gone out of the body, are defrauded of the plenitude of their vows, and the poor also of the comfort of their food and necessary subsistence. Such are to be esteemed murderers of the poor, and infidels, with respect to the judgment of God." Whence one of the fathers says, To take from a friend is theft; but to defraud the church is sacrilege. This is cited from St. Jerom. And St. Ambrose[118] goes a little further, and says, They who give their own estates to the church, and then in a fickle humour retract, and revoke them again, like Ananias and Sapphira, lose the reward both of their first and second action; the first act is void of judgment, and the second is downright sacrilege. Therefore, whether a man retracted what he himself had given to the church, or detained what was given by others, or robbed her of what she was actually possessed of, it was all the same species of sacrilege, and the canons[119] equally punish them all with the same sentence of excommunication; reducing clergymen, when found guilty of this crime, to the communion of strangers, which was a punishment peculiar to them, of which more hereafter. I have already showed in a former Book,[120] that for this reason bishops, who were intrusted with the goods and revenues of the church, were not allowed to alienate any part of them, except it were in great necessity, to relieve the poor, or redeem captives; in which case, St. Ambrose himself, and many others, disposed of the plate of the altar, and the vessels and utensils belonging to the church, thinking it better that the inanimate temples of God should want their ornaments, than that his living temples should perish for want of relief. This was not sacrilege in the eye of the law, either ecclesiastical or civil, but an act of mercy allowed by both: for the laws against sacrilege, next to the honour of God, had always a view to the necessities of the poor: and, therefore, as this practice tended to relieve them in great exigences, it was just the reverse of that inhuman sacrilege, which the ancients

113 Vid. Lessius de Jure, lib. 2. cap. 45. Dubitat. 3 et 4.

114 Canon. Apost. 72.

115 Ibid. can. 73.

116 Conc. Carth. 4. can. 95. Qui oblationes defunctorum aut negant ecclesiis, aut cum difficultate reddunt, tanquam egentium necatores, excommunicentur.

117 Conc. Vasense 2. can. 4. Qui oblationes defunctorum retinent, et ecclesiis tradere demorantur, ut infideles sunt ab ecclesia abjiciendi: quia usque ad inanitionem fidei pervenire certum est hanc pietatis Divinæ exacerbationem: quia et fideles de corpore recedentes fraudantur votorum suorum plenitudine, et pauperes consolatu alimoniæ et necessaria substentatione fraudantur. Hi enim tales, quasi egentium necatores, nec credentes judicium Dei, habendi sunt. Unde et quidam patrum ait, Amico quidpiam rapere, furtum est; ecclesiam vero fraudare, sacrilegium. Hieron. Ep. 2. ad Nepotian.

118 Ambros. de Pœnitent. lib. 2. cap. 9. Sunt qui opes suas tumultuario mentis impulsu, non judicio perpetuo, ubi ecclesiæ contulerunt, postea revocandas putaverunt: quibus nec prima merces rata est, nec secunda; quia nec prima judicium habuit, et secunda habuit sacrilegium.

119 Vid. Conc. Agathense, can. 4, 5, 6. Conc. Turon. 2. can. 24. Conc. Arelat. 2. can. 28.

120 Book V. chap. 6. sect. 6 and 7.

called murdering the poor, against which so many severe laws were made to abolish and correct it.

Sect. 24. Of sacrilege committed in robbing of graves.

Another great crime of near akin to the former, which was sometimes condemned and punished under the name of sacrilege, was robbing of graves, or defacing and spoiling the monuments of the dead. These were always esteemed a sort of sacred repositories, and inviolable sanctuaries, even by the very heathen, as appears from the edict of Julian,[121] and what Gothofred[122] has collected at large out of the old laws and heathen writers upon the subject. And the violation of them was always esteemed a piacular crime, and sometimes punished with death. The imperial laws made it capital, and therefore, when the Christian emperors at Easter granted their indulgence or pardon to criminals in prison, they still excepted robbers of graves[123] among those other flagitious criminals, which were to have no benefit from their indulgence; as has been showed before,[124] in speaking of those called *atrocia crimina*, great and capital crimes. That which tempted men to commit this wickedness was, that often riches and jewels were buried with the dead, and fine marble pillars and statues, ornaments and monuments, were erected over their graves; all which became spoil and plunder to such as were impiously and sacrilegiously disposed to invade them. Now, as the imperial laws prosecuted such criminals with suitable punishments, fines, tortures, transportation, and death; so the ecclesiastical laws pursued them with spiritual penalties, agreeable to her spiritual regimen and jurisdiction. Gregory Nyssen[125] says, The holy fathers teach us to place the violation of burial-places among those sins which are to be expiated by public penance. But he distinguishes two degrees of this crime, the one punishable by ecclesiastical censure, the other not so. For if any one took the stones or materials, which are usually cast up before the burial-places of the dead, and applied them to some other useful purpose, without exposing the corpse to the air or light, or offering any abuse or injury to it; though this was not commendable or allowable, (for, indeed, the civil laws absolutely forbade it,[126] as was said before,) yet custom, however, exempted this from any punishment in the church, because there was some benefit in it by an application of the materials to a more useful purpose; and, as Gothofred[127] also observes, there was something of seeming zeal in it, to demolish the heathen altars and images, which were often erected at the graves of pagans. But then, as Gregory adds, there was another degree of this crime, which was more horrible, when men raked into the ashes of the dead, and disturbed their bones, in pursuit of treasure, clothes, or other ornaments, that might be buried with them: And this, he says, was punished with the same term of penance as simple fornication, that is, nine years in the several stations of repentance. The fourth council of Toledo[128] makes it a double punishment for any clergyman to be guilty of this crime: "If any clerk is apprehended demolishing sepulchres, forasmuch as this is a crime of sacrilege punishable with death by the public laws, he ought by the canons to be deposed from his orders, and after that do three years' penance for such his transgression." The reader that pleases may see elegant invectives against this crime in Sidonius Apollinaris[129] and St. Chrysostom,[130] who justly represent it as one of the most unnatural and inhuman barbarities that can be offered to the nature of man, because the dead are altogether innocent and passive, and in a condition to excite pity and compassion only; being destitute and without ability to resist or right themselves against invaders.

Sect. 25. The sacrilege of the ancient traditors, who delivered up their Bibles and holy utensils to the heathen to be burnt.

Another sort of men, who were anciently accused and condemned as sacrilegious persons, were those whom they commonly called traditors, for delivering up their Bibles and other sacred utensils of the church to the heathen to be burnt, in the time of the Diocletian persecution. The first council of Arles,[131] held immediately after the persecution, makes it deposition from his order for any clergyman, who could be convicted by the public acts of this crime, either of betraying the Scriptures, or any of the holy vessels, or the names of his brethren, to the persecutors. The Donatists frequently, but falsely, objected this crime to Cecilian, bishop of Carthage, and those that ordained him, that they were traditors: upon which St. Austin[132] tells them, That if they could evidently make good the charge, the catholics would not scruple to anathematize them after death. But the truth of the matter was, these very objectors were traditors

[121] Cod. Theod. lib. 9. Tit. 17. De Sepulchris Violatis, Leg. 5.

[122] Gothofr. in Leg. 2. ibid.

[123] Cod. Theod. De Indulgentiis Criminum, lib. 9. Tit. 38. Leg. 3, 4, 7, 8. Valentin. Novel. 5. De Sepulchr.

[124] Chap. 4. sect. 2.

[125] Nyss. Ep. Canon. ad Letoium, can. 6 et 7.

[126] Cod. Theod. lib. 9. Tit. 17. De Sepulchr. Violatis, Leg. 1, 2, 3.

[127] Gothofr. in Leg. 5. ibid. p. 145.

[128] Conc. Tolet. 4. can. 45. Si quis clericus in demoliendis sepulchris fuerit deprehensus, quia facinus hoc pro sacrilegio legibus publicis sanguine vindicatur; oportet canonibus in tali scelere proditum, a clericatus ordine submoveri, et pœnitentiæ triennio deputari.

[129] Sidon. lib. 3. Ep. 12.

[130] Chrys. Hom. 35. in 1 Cor. p. 6.

[131] Conc. Arelat. 1. can. 13. De his qui Scripturas Sanctas tradidisse dicuntur, vel vasa Dominica, vel nomina fratrum suorum, placuit nobis, ut quicunque eorum in actis publicis fuerit detectus, non verbis nudis, ab ordine cleri amoveatur

[132] Aug. Ep. 50. ad Bonifac. Ep. 152. ad Donatistas.

themselves, though they had the impudence to absolve one another, while they threw the charge upon innocent men, as Optatus[133] and St. Austin[134] show out of the acts of their own council of Cirta, where they acted this comedy, which stood as a witness against them.

Sect. 26. The sacrilege of profaning the sacraments, and churches, and altars, and the Holy Scriptures, &c.

Neither was this the only sacrilege the Donatists were guilty of, but they and their accomplices stand charged with many others. Optatus objects[135] to them their breaking and burning the communion tables which they found in the catholic churches. And their profaning the holy sacrament in a most vile manner, of which he gives a most remarkable instance: Some of the Donatist bishops, in their mad zeal, ordered the eucharist, which they found in the catholic churches, to be thrown to the dogs; but not without an immediate sign of Divine vengeance upon them; for the dogs, instead of devouring the elements, fell upon their masters, as if they had never known them, and tore them to pieces, as robbers, and profaners of the holy body of Christ: which makes Optatus[136] put them in mind of that admonition of our Saviour, "Give not that which is holy unto the dogs, neither cast ye your pearls before swine, lest they trample them under their feet, and turn again and rend you." It was a like profanation of the holy eucharist, which Cornelius charges upon Novatian,[137] when he obliged his partisans, instead of saying Amen, at the reception of it, to swear by the body and blood of Christ, that they would never desert his party, nor return to Cornelius. It was also reckoned a piece of sacrilege to give the catholic churches to heretics, in which St. Ambrose stoutly opposed the younger Valentinian, when he sent him an order to deliver up one of the churches of Milan to the Arians: he returned him this courageous answer, Those things[138] which are God's, are not subject to the emperor's power. If my patrimony is demanded, you may invade it; if my body, I will offer it of my own accord. I will not fly to the altar, and supplicate for life, but more joyfully sacrifice my life for the altar. There are some instances of men turning churches[139] into stables: but as these were very abominable, so there were but few that fell into such prodigious profanations. We may reckon also all sorts of idolatry, and divination, and magic, and the abuse of Scriptures for lots and charms and amulets, among the species of sacrilege, as some of the ancient councils do:[140] but I have spoken fully of these under former heads, and therefore there is no occasion here to repeat them. I only add, that to molest or hinder a clergyman in the performance of his proper office by avocation to other business, and laying him under a necessity of following other employments inconsistent with the duties of his proper station and function, is, in the civil law, called sacrilege. Constantine in his first settlement of religion made a law,[141] That they who ministered in the service of God, should be excused from all personal duties in the state; that the sacrilegious envy of some, who gave them disturbance, might not withdraw them from the service of religion. And, agreeable to the tenor of this law, we find a rule of the church as ancient as St. Cyprian, That no one should employ a clergyman in the business of a secular trust,[142] to be a guardian or curator of his worldly concerns by his last will and testament, under the penalty of excommunication, or having his name blotted out of the diptychs of the church after death.

There are abundance of laws in the Theodosian Code, beside that of Constantine, settling great privileges, exemptions, and immunities upon the clergy, in regard to their office; as also upon churches, in regard to the respect and veneration that is due to them, as the houses of God and places of Divine worship: upon which account they were made sanctuaries or places of refuge for men in certain proper cases, whence they might not be taken by violence, without the imputation of a sort of sacrilege fixed on the invaders. But of all these privileges and immunities, I have had occasion to discourse at large[143] before in speaking of churches and the clergy, and therefore need not here repeat them; but only mention a law of Honorius,[144] which expressly charges the crime of sacrilege upon all such as offered any injury or affront to ministers officiating in the church, or to the service itself, or to the place: ordering all such criminals to be notified by public officers (not waiting for the bishop's accusation of them) to the governor of the province, who was to proceed against them,

[133] Optat. lib. 1. p. 39.
[134] Aug. cont. Crescon. lib. 3. cap. 27, &c.
[135] Optat. lib. 6. p. 94 et 95.
[136] Lib. 2. p. 55.
[137] Cornel. Ep. ad Fabium, ap. Euseb. lib. 6. cap. 43.
[138] Ambros. Ep. 33. ad Marcellin. de tradendis Basilicis.
[139] Vid. Baron. an. 572. p. 575. De Chariberto Rege.
[140] Conc. Toletan. 4. can. 28.
[141] Cod. Theod. lib. 16. Tit. 2. De Episc. et Cler. Leg. 2. Qui divino cultui ministeria religionis impendunt, id est, hi qui clerici appellantur, ab omnibus omnino muneribus excusentur: ne sacrilego livore quorundam a Divinis obsequiis avocentur. Vid. Leg. 7. ibid.
[142] Cypr. Ep. 66. al 1. ad Cler. Furnitan. p. 3.
[143] Book V. chap. 3. Book VIII. chap. 11.
[144] Cod. Theod. lib. 16. Tit. 2. De Episc. Leg. 31. Si quis in hoc genus sacrilegii proruperit, in ecclesias catholicas irruens, sacerdotibus et ministris, vel ipsi cultui, locoque aliquid inportet injuriæ——Provinciæ moderator, sacerdotum et catholicæ ecclesiæ ministrorum, loci quoque ipsius, et Divini cultus injuriam, capitali in convictos sive confessos reos sententia noverit vindicandum. Nec expectet ut episcopus injuriæ propriæ ultionem deposcat, cui sanctitas ignoscendi solum gloriam reliquit, &c.

and condemn them with the punishment of capital offenders.

Sect. 27. The sacrilege of depriving men of the use of the Scripture, and the word of God, and the sacraments, particularly of the cup in the Lord's supper.

There is one species of sacrilege more, which the casuists of the Romish church for a good reason never mention: that is, the grand sacrilege of their own church in depriving men of the use of the Holy Scriptures, and the cup in the Lord's supper, both which, with unparalleled magisterial authority, are sacrilegiously and injuriously taken from them. That the ancients reckoned it the sin of sacrilege to divide the communion without reason, and deny men the use of the cup, needs no other proof at present but the testimony of Gelasius, one of their own popes, which is still extant in their canon law,[145] in the words of the following decree: "We understand there are some, who receive only a portion of the holy body, and abstain from the cup of the holy blood. Who, doubtless, being bound by some vain superstition, ought either to receive the whole sacrament, or to be excluded from the whole; because one and the same mystery cannot without grand sacrilege be divided." Such sacrilegious dividers of the communion are also condemned by Pope Leo,[146] and ordered to be excommunicated. And they who take the eucharist, and use it for any other end besides communicating, are censured by the first council of Toledo, can. 14, and that of Cæsaraugusta, can. 3, as sacrilegious also, deserving to be banished the church with anathema or excommunication. But of these I have discoursed more at large in a former Book. See Book XV. chap. 4. sect. 13, and chap. 5. sect. 1, against communicating in one kind.

There were many heretics in the ancient church, who were guilty of sacrilege in relation to the other sacrament of baptism. Some rejected it wholly, others corrupted it in the material part, and others in the form of words necessary to the administration: of all which the reader may find a large account in a former Book,[147] which particularly handles the subject of baptism. But there were none that ever presumed sacrilegiously to deny Christians their proper birthright, which is to read the Scriptures. Some heretics corrupted them; and others rejected such parcels of them, as they thought most opposite to their peculiar notions; but none, who allowed them to be the inspired writings and oracles of the Holy Ghost, ever denied the people liberty to search and examine them for their own instruction. This is a piece of sacrilege peculiar to these later ages, which the ancients knew nothing of, and therefore had no occasion to make canons or rules of discipline to correct it. There are many exhortations to read the Scriptures; but no orders to keep them locked up in an unknown tongue, or to forbid the people to use them upon any occasion. And the only reason why there are no censures anciently to be found against this sort of sacrilege, is, because the sin itself was utterly unknown to the primitive ages.

There was indeed sometimes a neglect in ignorant or careless teachers in preaching the word of God to the people: and this is censured by some laws[148] even in the civil code, as a sacrilegious withdrawing from the people the necessary food of their souls. But of this I need say no more in this place, having fully represented the laws[149] obliging bishops and presbyters to be faithful and diligent in discharging this part of their duty, while we were discoursing of preaching, and the usages relating to it, in the ancient church.

There are some other things, which sometimes bear the name of sacrilege; but because they more properly belong to other species of sin, as breach of vows, to perjury; and defilement of consecrated virgins, to fornication; we will consider the discipline and treatment of these and the like offences under their proper heads, and proceed to the last sort of sin, which shows irreverence to God in the use of sacred things, commonly called simony, which is also a sort of sacrilege, because it sets spiritual and sacred things to sale, which are not the subject of a secular contract.

Sect. 28. Of simony in buying and selling spiritual gifts.

This is commonly distinguished by the ancients into three sorts: 1. Buying and selling of spiritual gifts. 2. Buying and selling of spiritual preferments. 3. Ambitious usurpation, and sacrilegious intrusion into ecclesiastical functions, without any legal election or ordination. The first sort was that which most properly had the name of simony, from Simon Magus, who pretended with money to purchase the gift of the Holy Ghost. And this was always thought to be committed, when men either offered or received money for ordinations. Which was a crime of a very high nature, and always punished with the severest censures of the church. The Apostolical Canons[150] seem to lay a double punishment, both deposition and excommunication, upon

[145] Gelas. ap. Gratian. De Consecrat. Dist. 2. cap. 12. Comperimus, autem, quod quidam sumpta tantummodo corporis sacri portione, a calice sacri cruoris abstineant. Qui procul dubio (quoniam nescio qua superstitione docentur obstringi) aut integra sacramenta percipiant, aut ab integris arceantur: quia divisio unius ejusdemque mysterii sine grandi sacrilegio non potest provenire.

[146] Leo, Ser. 4. De Quadragesima.

[147] Book XI. chap. 2 and 3.

[148] Cod. Theod. Lib. 16. Tit. 2. De Episcopis, Leg. 25. Theodosii M. Qui Divinæ legis sanctitatem aut nesciendo confundunt, aut negligendo violant et offendunt, sacrilegium committunt.

[149] Book XIV. chap. 4. sect. 2.

[150] Can. Apost. 29. Καθαιρείσθω καὶ αὐτὸς, καὶ ὁ χειροτονήσας, καὶ ἐκκοπτέσθω παντάπασι καὶ τῆς κοινωνίας, ὡς Σίμων ὁ μάγος ὑπ' ἐμοῦ Πέτρου.

such of the clergy as were found guilty of this crime: "If any bishop, presbyter, or deacon, obtain this dignity for money, both he that is ordained, and the ordainer, shall be deposed, and also cut off from all communion, as Simon Magus was by Peter." The general council of Chalcedon has a canon to the same purpose, [151] "That if any bishop gave an ordination, or any ecclesiastical office, or preferment of any kind, for money, he himself should lose his office, and the party so preferred be deposed." The same punishment is appointed in the second council of Orleans,[152] the second of Braga,[153] the fourth of Toledo,[154] the eleventh of Toledo,[155] the council of Constantinople under Gennadius,[156] the decrees of Gelasius,[157] Symmachus,[158] Hormisdas,[159] and Gregory the Great,[160] St. Basil,[161] the second council of Nice,[162] and the council of Trullo.[163] Particularly the eighth council of Toledo [164] makes it both degradation and excommunication in every clerk so ordained. And also punishes the receivers of simoniacal gifts with equal severity; if clergymen, with the loss of their honour; if laymen, with perpetual excommunication to the hour of death. And the civil law also provided [165] in this case, to prevent simoniacal ordinations, That both persons ordained, and also their electors and ordainers, should all take an oath, that there was nothing given or received, or so much as contracted or promised, for any such election or ordination. And for any bishop to ordain another without observing this rule, is deposition by the same law, both for himself, and him that is so ordained by him.

The ancients also reduce to this sort of simony, the exacting of any reward for administering baptism, or the eucharist, or confirmation, or burying, or consecration of churches, or any the like spiritual offices, which were to be administered freely without demanding any reward. The council of Trullo [166] particularly forbids any clergyman to require any thing for administering the eucharist: For grace is not to be set to sale, neither do we impart the sanctification of the Spirit for money, but give it without craft to all that are worthy. And he that does otherwise, shall be deposed as a follower of the wicked error of Simon Magus. The eleventh council of Toledo forbids not only the taking of money for promotions to holy orders, but also for administering baptism, or confirmation,[167] or chrism; and the bishop that connives at any of his clergy so doing, is ordered to be excommunicated for two months: and if a presbyter without his knowledge commits such offence, he is to be excommunicated four months; a deacon, three months; and those of the inferior orders, excommunicated at discretion. There are several other ancient canons to the same purpose in the councils of Eliberis,[168] and Braga,[169] and the decrees of Gelasius,[170] which have been mentioned on another occasion,[171] where we treated of the proper methods of raising funds and maintenance for the clergy, and need not here be repeated.

Sect. 29. Of simony in purchasing ecclesiastical preferments.

But they did not only call that simony, which consisted in trafficking for the gifts of the Holy Spirit, but also all purchases made of the spiritual preferments of the church, and all promotions made without just merit, out of mere favour and affection. The council of Chalcedon [172] not only threatens deposition to any bishop that sets grace to sale, and ordains a bishop, or *chorepiscopus*, or presbyter, or deacon, or any clerk, for money; but also if he promotes an *œconomus* or steward, or an *ecdicus*, that is, an advocate or defensor, or a *paramonarius*, that is, a bailiff or steward of the lands, for his own filthy lucre. And both the clergy so ordained are to be degraded; and the officers so promoted, to lose their places: and if any one be instrumental as a mediator in such dishonourable and unlawful traffic; if he be a clerk, he is to be degraded; if a layman, or a monk, to be anathematized. By the laws of Justinian,[173] every elector was to depose upon oath, that he did not choose the party elected either for any gift, or promise, or friendship, or any other cause, but only because he knew him to be a man of the true catholic faith, and unblamable life, and good learning. Gregory the Great says,[174] there were some who took no reward of money for ordination,

[151] Conc. Chalced. c. 2.
[152] Conc. Aurelian. 2. can. 3 et 4.
[153] Conc. Bracar. 2. can. 3. [154] Conc. Tolet. 4. can. 18.
[155] Conc. Tolet. 11. can. 8.
[156] Conc. C. P. Epist. Synod. Conc. t. 4. p. 1025.
[157] Gelas. Decret. Ep. 9. ad Episc. Lucaniæ, cap. 24.
[158] Symmach. Decret. cap. 2.
[159] Hormisd. Epist. ad Episc. Hispan. cap. 2.
[160] Greg. lib. 7. Ep. 110.
[161] Basil. Ep. 76. ad Episcopos.
[162] Conc. Nic. 2. can. 5. [163] Conc. Trul. can. 22.
[164] Conc. Tolet. 8. can. 3. Quicunque propter accipiendam sacerdotii dignitatem quodlibet præmium fuerit detectus obtulisse, ex eodem tempore se noverit anathematis opprobrio condemnatum, atque a participatione Christi corporis et sanguinis alienum.—Illi vero qui hac causa munerum acceptores extiterint; si clerici fuerint, honoris amissione mulctentur: si laici, anathemate perpetuo condemnentur.
[165] Vid. Justin. Novel. 123. cap. 1. Novel. 137. cap. 2.
[166] Conc. Trul. can. 23. [167] Conc. Tolet. 11. can. 8.
[168] Conc. Elib. can. 48.
[169] Conc. Bracar. 2. al. 3. can. 7.
[170] Gelas. Ep. 1. al. 9. ad Episc. Lucan. cap. 10.
[171] Book V. chap. 4. sect. 14. [172] Conc. Chalced. can. 2.
[173] Justin. Novel. 123. cap. 1.
[174] Greg. Hom. 2. in Evangel. Sunt nonnulli qui quidem nummorum præmia ex ordinatione non accipiunt, et tamen sacros ordines pro humana gratia largiuntur, atque de largitate eadem laudis solummodo retributionem quærunt. Hi nimirum quod gratis acceptum est, gratis non tribuunt, quia de impenso officio sanctitatis nummum expetunt favoris.—Aliud munus est ab obsequio, aliud munus a manu, aliud munus a lingua. Munus quippe ab obsequio est subjectio

and yet were in some measure guilty of simony, because they gave holy orders for human favour, and thence sought the reward of praise and favour among men. They did not give freely what they had freely received, because for giving a holy office they required the gift of favour. For there were three sorts of bribes, one from obsequiousness, another from the hand, and another from the tongue. That from obsequiousness was a servile subjection unduly paid; that from the hand was money; that from the tongue was favour. But whether this sort of simony made men liable to ecclesiastical censure, he does not say, but only speaks against it as a great corruption, from which they who give holy orders ought to keep themselves free, according to that of the prophet, Isa. xxxiii. 15, "He that shaketh his hands from holding of bribes."

Sect. 30. Of simony in ambitious usurpation of holy offices, and intrusion into other men's places and preferments.

The last sort of simony was, when men by ambitious arts and undue practices, by the favour and power of some great or wealthy person, got themselves invested in any office or preferment, to which they had no regular call or legal title; or when they intruded themselves into other men's places, which were legally filled before. This was the common practice of schismatical and other ambitious spirits, who would either thrust themselves irregularly into a vacant see, or usurp upon one that was already lawfully possessed and held by another. Thus Novatian got himself clancularly and simoniacally ordained to the bishopric of Rome, to which Cornelius had been legally ordained before him, as Cyprian[175] and others often complain. And so Majorinus was ordained antibishop of Carthage in opposition to Cecilian the legal bishop, by the help of Lucilla, a wealthy woman, who spirited the faction that was the first beginning of the schism of the Donatists, as Optatus[176] and St. Austin at large inform us. Now, all such ordinations, being founded on ambition and usurpation, and generally obtained either by force, or favour, or fraud, or bribery, were usually vacated and declared null, and both the ordained and their ordainers prosecuted as criminals by degradation and reduction to the state and communion of laymen: of which, because I have given a full account in a former Book,[177] I will not stand to make any further proof in his place. But only note, that it was equally a simoniacal crime for any bishop ambitiously to thrust himself irregularly into any vacant see, or remove himself by any sinister arts from a lesser see to a greater, in contempt and despite of the rules prescribed by the church in that case to be observed. For, as I have noted in speaking formerly upon this subject,[178] there were many severe laws made against bishops arbitrarily removing themselves from one see to another. Though the translation of bishops was not absolutely and universally forbidden, (because the church had sometimes occasion for this expedient,) yet care was taken, that ambitious spirits should not move themselves at pleasure, but all translations were regularly to be made only by the authority, consent, and approbation of a provincial council; and to do otherwise was esteemed a crime of simoniacal ambition of the highest nature, as proceeding from avarice or love of pre-eminence, and using irregular methods, bribery, favour, and faction, to compass an end against the laws of the church. And therefore the ancient canons of Nice[179] and Antioch, and those called Apostolical, not only barely forbid and disallow this practice; but the council of Sardica,[180] finding by experience that simple prohibitions were not sufficient to repress it, and restrain aspiring men from it, backed her injunctions with the highest censures, making two very remarkable canons, which run in these words: "That evil custom and pernicious corruption is by all means to be rooted out, that no bishop have liberty to remove himself from a lesser city to another. For the reason why he does this, is plain; seeing we never find a bishop labouring to remove himself from a greater city to a less. Whence it is manifest, that all such are inflamed with ardour of covetousness, and rather serve their ambition and vain-glory, that they may seem to be invested with greater authority and power. Wherefore this sinister practice ought to be punished more severely." And in my opinion, says Hosius, the president of the council, such ought not to be allowed so much as lay communion. The next canon adds, "That if any one be so vain or presumptuous, as to think to excuse himself in this matter, by saying, that he received letters of invitation from the people; seeing it is possible some might be corrupted by bribes and rewards to raise a faction in the church, and desire to have him for their bishop;" I think, says Hosius again, these fraudulent arts and underhand practices ought to be undoubtedly punished, so as that such a one should not be allowed even lay communion at his last hour. And to this the council readily agreed: which shows what apprehensions they had of this sort of simony, as most dangerous and pernicious to the church. And it is worth remarking further, that whereas it might happen, that such an ambitious bishop might, by the power of a faction, be

indebite impensa; munus a manu pecunia est; munus a lingua favor.

[175] Cypr. Ep. 52. al. 55. ad Antonian. p. 104. Ep. 41 et 42. et Epist. Cornel. ap. Euseb. lib. 6. cap. 43.

[176] Optat. lib. 1. p. 41 et 42. Aug. cont. Epist. Parmen. lib. 1. cap. 3.

[177] Scholast. Hist. of Bapt. Part II. chap. 2 and 4.

[178] Book VI. chap. 4. sect. 6.

[179] Conc. Nic. can. 15. Conc. Antioch. can. 21. Can. Apost. 14.

[180] Conc. Sardic. can. 1 et 2.

able to maintain himself in his usurpation, in spite of all ecclesiastical censures; therefore in this case the third council of Carthage gave orders,[181] That recourse should he had to the secular magistrate against such a refractory and contumacious bishop, who would not submit to the milder sentence of an admonition; and that in such an exigence of absolute necessity the ruler of the province should be entreated, according to the directions of the imperial laws, to use his judicial authority to expel him out of the church, which he kept possession of by force, without giving any signs of acquiescing or amendment. Whether there were any imperial laws made with a direct view to this particular case, I cannot say: but it is certain there were general laws made by Gratian and Honorius,[182] obliging all bishops, who were censured and deposed by any synod, to submit to the sentence of the synod, and not to make any disturbance by endeavouring to keep or regain the sees out of which they were synodically expelled, under the penalty of being banished a hundred miles from the city where they pretended to raise any such disturbance. This was the law of Honorius, which refers to a former law made by Gratian upon the same subject, which is also mentioned by Sulpicius Severus[183] in his history, as enacted against the Priscillianists, though it be not now extant in the Theodosian Code. And to these laws the African fathers might refer, when they order all such contumacious bishops to be expelled by the authority of the civil magistrate, according to the tenor of the imperial laws made in this behalf, to which they refer also in other canons relating to the same purpose.[184] And thus much of the several greater crimes against the first and second commandments, which made men liable to the penitential discipline and censures of the church.

CHAPTER VII.

OF SINS AGAINST THE THIRD COMMANDMENT, BLASPHEMY, PROFANE SWEARING, PERJURY, AND BREACH OF VOWS.

Sect. 1. The blasphemy of apostates.

The greater sins against the third commandment, which chiefly brought men under public ecclesiastical censure, were blasphemy, profane swearing, perjury, and breach of vows solemnly made to God. For all these reflected a particular dishonour upon his name. Blasphemy they distinguished into three sorts: First, The blasphemy of apostates and lapsers, whom the heathen persecutors obliged not only to deny, but curse Christ. Secondly, The blasphemy of heretics and other profane Christians. Thirdly, The blasphemy against the Holy Ghost. The first sort we find mentioned in Pliny, who, giving Trajan an account of some Christians who apostatized in the persecution in his time, tells him, They all worshipped his image, and the images of the gods, and also cursed Christ.[1] And that this was the common way of renouncing their religion, appears from the demand which the proconsul made to Polycarp, and Polycarp's answer to it: he bid him revile Christ, Λοιδόρησον τὸν Χριστὸν:[2] to whom Polycarp replied, These eighty-six years I have served him, and he never did me any harm; how then can I blaspheme my King and my Saviour? In the epistles of Dionysius, bishop of Alexandria, where he gives an account of the persecution that happened there, we find, this was the usual way whereby the heathen required the Christians to abjure their religion. They bid Metras the martyr say the atheistical words,[3] which when he refused to do, they stoned him to death. So, again, they bid Apollonia say[4] the impious words, beating out her teeth, and threatening to burn her alive, if she refused to comply with them: and threatening all others with the same punishment, that would not say the blasphemous words. Now, though Valesius thinks it difficult to tell what these impious, blasphemous, and atheistical words were, yet it seems plain enough they meant blaspheming Christ, which was the thing the heathen insisted on, as their certain indication of Christians renouncing their religion. And so Justin Martyr says,[5] when Barchocab, the ringleader of the Jewish rebellion under Adrian, persecuted the Christians, he threatened to inflict terrible punishments upon all that would not deny Christ and blaspheme him. This then being only a more solemn way of renouncing religion, by adding blasphemy to apostacy, all lapsers of this kind were deservedly reckoned among apostates, and accordingly punished with their punishment, to the highest degree of ecclesiastical censure.

[181] Conc. Carth. 3. can. 38. Necessitate ipsa cogente liberum sit nobis, rectorem provinciæ, secundum statuta gloriosissimorum principum, adversus illum adire, ut qui miti admonitioni acquiescere noluit, et emendare illicitum, authoritate judiciaria protinus excludatur. Vid. can. 43. ib. et Cod. Afric. can. 48 et 53.

[182] Cod. Theod. lib. 16. Tit. 2. De Episc. Leg. 35. Honorii. Quicunque residentibus sacerdotibus fuerit episcopali loco detrusus et nomine, si aliquid vel contra custodiam, vel contra quietem publicam moliri fuerit deprehensus, rursusque sacerdotium petere, a quo videtur expulsus, procul ab ea urbe quam infecit, secundum legem divæ memoriæ Gratiani, centum milibus vitam agat, &c.

[183] Sever. Hist. lib. 2. p. 116.

[184] Cod. Afric. can. 93. al. 95.

[1] Plin. lib. 10. Ep. 97. Omnes et imaginem tuam, deorumque simulachra venerati sunt, iique et Christo maledixerunt.

[2] Euseb. lib. 4. cap. 15.

[3] Ap. Euseb. lib. 6. cap. 41. Κελεύσαντες ἄθεα λέγειν ῥήματα, κ.τ.λ.

[4] Ibid. Τὰ τῆς ἀσεβείας ῥήματα ἐκφωνήσειν. Et paulo post, δύσφημα ῥήματα ἀνυμνεῖν.

[5] Justin. Apol. 2. p. 72.

Sect. 2. The blasphemy of heretics and profane Christians.

Another sort of blasphemers, were such as made profession of the Christian religion, but yet, either by impious doctrines or profane discourses, uttered blasphemous words against God, derogatory to his majesty and honour. In this sense heretics are commonly charged with blasphemy, and more especially those whose doctrines more immediately detracted from the excellencies, properties, and actions of the Divine nature. Thus Chrysostom[6] terms those blasphemers, who introduced fate in derogation to the providence of God; and Irenæus, those likewise who denied God to be the Creator of the world.[7] And the Arians and Nestorians are generally charged with blasphemy, impiety, and sacrilege,[8] for denying the Divinity of our Saviour, and the incarnation of the Divine nature. So that the same punishment as was inflicted upon heretics and sacrilegious persons, was consequently the lot of this sort of blasphemers. St. Chrysostom joins blasphemers[9] and fornicators together, as persons that were to be expelled from the Lord's table. He says further,[10] Under the Mosaical economy the law was, "Let him that curseth father or mother, die the death." What shall we then say of those, who in the time of grace and truth, and such extraordinary knowledge, not only curse father and mother, but blaspheme the God of the universe? All the punishments of this world and the next are not sufficient to chastise a soul that is arrived to this prodigious height of wickedness. For there is no sin greater than this, none equal to it. It is an addition to all other crimes, confounding all religion, and drawing inexpiable punishment after it.

Neither was it only this doctrinal blasphemy of heretics, proceeding from corrupt and vicious principles, that they thus treated both with their censures and invectives; but also all other blasphemies of profane Christians, whether occasioned by ill opinions fixed in the mind, or other sudden emotions of a vicious temper. This we learn from Synesius's way of proceeding against Andronicus, the oppressing governor of Ptolemaïs. He admonished him for his other crimes while there was any hopes of making a just impression on him; but when he added blasphemy to all the rest, presuming to say, No man should escape his hands, though he laid hold of the very foot of Christ; Synesius thought he was no longer to be admonished, but to be cut off as a putrified member; and accordingly he proceeded to pronounce against him that famous excommunication[11] which we have had so often occasion[12] to mention, as the most formal sentence that occurs in ancient story. I only add, that the civil laws set a particular mark upon this crime. For, by the laws of Justinian,[13] blasphemy is reckoned a capital offence, to be punished with death. And by the former laws, since heresy was reputed blasphemy against God, all the penalties inflicted on heretics (one of which was in some cases death also) must be supposed to be punishments awarded by law to this sort of blasphemers.

Sect. 3. The blasphemy against the Holy Ghost. What notion the ancients had of it; and what censures they inflicted on it.

Another sort of blasphemy was, the blasphemy against the Holy Ghost, of which I must be a little more particular, because the sense of the ancients concerning it is not very commonly understood. Some apply it to the great sin of lapsing into idolatry, and apostacy, and denying Christ in time of persecution. Thus Cyprian understands it, when he[14] says, They who commit idolatry by the violence of persecution, know their offence to be a very great crime, seeing our Lord and Judge has said, "Whosoever shall confess me before men, him will I confess before my Father which is in heaven. But he that denieth me, him will I also deny." And again, "All sins and blasphemies shall be forgiven to the sons of men: but he that blasphemeth against the Holy Ghost, shall not have forgiveness, but is guilty of eternal sin." St. Hilary[15] gives the same account of this blasphemy, making it to consist in denying Christ to be God. And therefore he also charges the Arians, and all other such heretics, with this blasphemy,[16] because their doctrine robbed Christ of his Divinity,

[6] Chrys. Hom. 2. de Fato et Provid. t. 1.

[7] Irenæ. Præfat. in lib. 4. Nunc autem, quoniam novissima sunt tempora, extenditur malum in homines, non solum apostatas eos faciens, sed et blasphemos in plasmatorem instituit.

[8] Cod. Theod. lib. 16. Tit. 5. De Hæreticis, Leg. 6. Theodosii. Ariani Sacrilegii venenum, &c. It. Leg. 8. Sacrilegum Dogma Arianorum. Hilarii Fragment. p. 144. Arii Blasphemiæ, &c. It. de Synodis, p. 104. Evagr. lib. i. cap. 2.

[9] Chrys. Hom. 22. De Ira, t. 1. p. 277.

[10] Hom. 2. De Fato, t. 1. p. 811.

[11] Synes. Ep. 58. p. 198. Vid. C. P. sub Menna, Act. 1. al. 5.

[12] See it at length, chap. 2. sect. 8.

[13] Just. Novel. 77.

[14] Cypr. Ep. 10. al. 16. p. 36. Summum enim delictum esse quod persecutio committi coegit; cum dixerit Dominus et Judex noster, Qui me confessus fuerit coram hominibus, et illum confitebor coram Patre meo qui in cœlis. Qui autem me negaverit, et ego illum negabo. Et iterum dixerit, Omnia peccata remittentur filiis hominum et blasphemiæ: qui autem blasphemaverit Spiritum Sanctum, non habebit remissam, sed reus est æterni peccati.

[15] Hilar. in Mat. Canon. 31. p. 184. Sciebat exterrendos, fugandos, negaturos: sed quia Spiritus blasphemia nec hic nec in æternum remittitur, metuebat ne se Deum abnegarent, quem cæsum et consputum et crucifixum essent contemplaturi. Quæ ratio servata in Petro est, qui cum negaturus esset, ita negavit, Non novi hominem.

[16] Ibid. can. 12. p. 164. Christo aliqua deferre, negare quæ maxima sunt: venerari tanquam Deum, Dei communione spoliare, hæc blasphemia Spiritus est: ut cum per admirationem operum tantorum Dei nomen detrahere non audeas, generositatem ejus quam confiteri es coactus in nomine, abnegata Paternæ substantiæ communione decerpas.

and denied him to be of the same substance with the Father, however they venerated him as God, and ascribed the name of God to him upon the account of his admirable works and glorious operations. Athanasius, and the author of the Questions to Antiochus under his name, are of the same opinion. Athanasius has a particular discourse upon this subject, where he both notes the errors of Origen and Theognostus upon it, and delivers his own opinion in opposition to them. They said,[17] That all they who had received the gifts of the Holy Ghost in baptism, and afterward run into sin, committed the unpardonable sin against the Holy Ghost. Which he refutes both from the practice of St. Paul, who received the incestuous Corinthian and other great sinners to pardon; and also from the practice of the church in opposition to the Novatians. Why then, says he, are we angry at Novatus for taking away repentance, and saying, There is no pardon for those that sin after baptism? His own opinion he delivers after this manner:[18] The Pharisees in our Saviour's time, and the Arians in our days, running into the same madness, denied the real Word to be incarnate, and ascribed the works of the Godhead to the devil and his angels, and therefore justly undergo the punishment which is due to this impiety, without remission. For they put the devil in the place of God, and imagined the works of the living and true God to be nothing more than the works of the devils. Which was the same thing as if they had said, that the world was made by Beelzebub, that the sun arose at his command, and the stars in heaven moved by his direction. For as the one were the works of God, so were the other; and if the one were done by Beelzebub, so were the other also. For this reason Christ declared their sin unpardonable, and their punishment inevitable and eternal. In another place[19] he says, They who spake against Christ, considering him only as the Son of man, were pardonable, because in the beginning of the gospel the world looked upon him only as a prophet, not as God, but as the Son of man: but they who blasphemed his Divinity after his works had demonstrated him to be God, had no forgiveness, so long as they continued in this blasphemy; but if they repented, they might obtain pardon: for there is no sin unpardonable with God to them who truly and worthily repent. And the same is said by the author of the Questions to Antiochus,[20] under his name. St. Ambrose also defines this sin to be denying the Divinity of Christ;[21] Whoever does not confess God in Christ, and Christ to be of God, and in God, deserves no pardon.

Some, again, make it to consist in denying the Divinity of the Holy Ghost. Thus Epiphanius[22] brings the charge against the *Pneumatomachi*, or Macedonian heretics, whose error consisted particularly in opposing the Godhead of the Holy Ghost, and making him a mere creature. He says, All heretics blaspheme and deny the truth, some more, some less; as these *Pneumatomachi* did, blaspheming the Lord and the Holy Spirit, and having pardon of sins neither in this world, nor the world to come. He shows how they were not pardoned in this world, because their doctrine was condemned by the church in the council of Nice, and their persons anathematized or cast out of the communion of the church. But then, as they might be admitted to the communion again upon their repentance, so we must suppose he means, their sin was capable of pardon in the next world upon the same condition, and only unpardonable upon the supposition of obstinacy and continuance in it without repentance. St. Ambrose[23] also, in his treatise of the Holy Ghost, writing against the same heretics, charges them as guilty of this blasphemy against the Holy Ghost, for denying the Divinity of his person. And the same charge is brought against them by Philastrius,[24] when he says, The Lord declared that all sins should be forgiven unto men beside the blasphemy against the heavenly essence of the Holy Spirit. *Concedi omnia peccata hominibus præter blasphemiam de Divini et adorandi Spiritus essentia.*

Philastrius[25] brings the charge in general against all heretics, as blasphemers of the Holy Ghost. And St. Ambrose does the same,[26] but then he does not assert the sin to be absolutely unpardonable, but exhorts them to return to the church, with hopes of obtaining mercy and forgiveness.

Others place this sin in a perverse and malicious ascribing the works of the Holy Spirit to the power of the devil. And some of these suppose the malignity of it to consist in doing this against knowledge and manifest convictions of conscience, which renders them self-condemned, and their sin simply and absolutely unpardonable. The author of the Questions upon the Old and New Testament under the name of St. Austin,[27] who is supposed to be one

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[17] Athan. in illud, Quicunque dixerit verbum, t. 1. p. 971.

[18] Ibid. p. 975.

[19] Ibid. de Communi Essentia trium Personar. t. 1. p. 237.

[20] Quæst. et Respons. ad Antioch. qu. 71. t. 2. p. 358.

[21] Ambros. Com. in Luc. lib. 7. cap. 12. t. 5. p. 108. Quicunque non confitetur in Christo Deum, atque ex Deo et in Deo Christum, veniam non meretur.

[22] Epiphan. Hær. 74. Pneumatom. n. 14.

[23] Ambros. de Spir. Sancto, lib. 1. cap. 3.

[24] Philastr. de Hæres. cap. 20. Bibl. Patr. t. 4. p. 17.

[25] Philastr. Hær. Rhetorii.

[26] Ambros. de Pœnitent. lib. 2. cap. 4. Eos quoque asserit diabolico uti Spiritu, qui separarent ecclesiam Dei: ut omnium temporum hæreticos et schismaticos comprehenderet, quibus indulgentiam negat. Ibidem paulo post. Revertimini ad ecclesiam, si qui vos separastis impie: omnibus enim conversis pollicetur veniam, &c.

[27] Aug. Quæst. in Vet. et Nov. Test. qu. 102. t. 4. p. 452.

Hilary, a Roman deacon, expressly delivers his opinion after this manner: The Jews, says he, did not sin against the Holy Ghost out of ignorance, but maliciousness. For they knew the works which our Saviour did to be the true works of God: but to divert the people from believing on him, they pretended against their own knowledge and conscience to say, "That they were the works of the prince of devils" Upon which account our Lord said to them, "Ye have the key of knowledge, and ye neither enter yourselves, nor suffer others to enter." That sentence, then, was pronounced against the malignant, for whom there is no remedy to be found to bring them to salvation. For this is the greatest of all sins, pretending that to be false which men know to be true, and denying the wonderful works of God against their own knowledge and conscience.

But in two things this author is singular. 1. In saying the Jews acted against knowledge and conscience. For St. Austin[28] expressly says, They did it in ignorance, by that blindness which happened to Israel in part, till the fulness of the Gentiles be come in. And it seems evident from those words of St. Peter, in his sermon to them, Acts iii. 17, "I wot, brethren, that in ignorance ye did it, as did also your rulers." 2. In that he makes their sin simply and absolutely unpardonable, which the ancients generally do not, save only when it is accompanied with insuperable obstinacy and final impenitency, which in the nature of the thing can have no pardon. For all others among the ancients suppose it possible for men to repent of this sin, and thereby make themselves capable of pardon, though with great difficulty; and that the unpardonableness of it arises from men's own obstinacy and impenitency only, which makes them liable to punishment both in this world and the world to come. Thus St. Chrysostom delivers his opinion in his Comment[29] upon the words of our Saviour. Is there no remission for those who repent of their blasphemy against the Spirit? How can this be said with reason? For we know it was forgiven to some that repented of it. Many of those Jews which blasphemed the Holy Ghost, did afterwards believe, and all was forgiven them. What is therefore the meaning of it? That it is a sin less capable of pardon than all others. And unless they repented of it (so Anianus translates it) they should be punished in both worlds, and have pardon in neither. Which he observes to be the difference between this kind of sinners and many others. For some sinners are punished both in this world and the next; others, only in this world; others, only in the next; and others, neither in this world nor the next. He gives examples of all these. Some are punished both here and hereafter; as these blaspheming Jews; for they suffered vengeance here, in the great calamities which befell them in the destruction of Jerusalem; and hereafter they must undergo intolerable torments, as the men of Sodom, and many others. Some suffer only in the next world, as the rich man, who is tormented in flames, and not master of so much as a drop of water to cool his tongue. Some suffer only in this world, as he that committed fornication among the Corinthians; and others, neither in this world nor the next, as the apostles, and prophets, and holy Job, and such like. For their passions were not punishments for their sins, but only exercises and combats to crown them with victory. Now, he supposes that blasphemy against the Holy Ghost is a sin of the first kind, that is, one of those for which men, if they do not timely repent of it, shall suffer both here and hereafter, as the men of Sodom; in which respect it is said never to have forgiveness, neither in this world nor the next, because it is punished in both. *Vid. Chrys. Hom.* 3. *in Lazarum, t.* 5. *p.* 69, where he uses the same distinction of sins punished only in this world, or only in the next, or else, as the sins of Sodom, punished in both.

Victor of Antioch, who was contemporary with St. Chrysostom, gives the same account of the unpardonableness of this sin. He says,[30] When our Saviour discourses of the sin of blasphemy, he neither determines blasphemy against the Son to be absolutely remissible, nor the blasphemy against the Holy Ghost to be simply irremissible; as if there was no place of repentance left for such blasphemers, when they were disposed to return to a sober mind; but only, by drawing a comparison betwixt the one and the other, he shows that the blasphemy against the Son ought to be esteemed the lesser of the two, because it seems to be levelled against him only as man.

Now, from what has hitherto been discoursed, it is easy to conceive after what manner the discipline

Non enim errore peccaverunt in Spiritum Sanctum, sed malevolentia. Scientes enim prudentesque opera quæ viderunt in gestis Salvatoris Dei esse, ut populum a fide ejus averterent, hæc simulabant esse principis dæmoniorum.—— Hæc ergo sententia contra malevolos prolata est, quibus remedium inveniri non potest ut salventur. Nihil enim hoc crimine gravius est; fingit enim falsum esse, quod scit esse verum, &c.

[28] Aug. Expos. in Rom. t. 4. p. 365.

[29] Chrys. Hom. 42. in Matt. xii. p. 391.

[30] Victor. Com. in Marc. iii. Bibl. Patr. t. 1. p. 411. Cum de blasphemiæ peccato Salvator noster disserit, neque convitium in Filium absolute remissibile, neque blasphemiam rursus in Spiritum Sanctum irremissibile simpliciter definire vult: quasi nullus prorsus ejusmodi blasphemis, dummodo ad sanam mentem redire in animum induxerint, pœnitentiæ locus relictus sit; verum comparatione quadam inter hanc et illam facta, indicat eam quæ cadit in Filium, tanquam quæ in hominem proxime ferri videatur, multo minorem censeri.

of the church was exercised upon such sort of blasphemers. For, first, if all apostates, and idolaters, and such as denied Christ, or blasphemed him, or denied his Divinity, or the Divinity of the Holy Ghost, and such as fell into heresy or schism, were reputed, in some measure, to blaspheme the Holy Ghost; then the same punishments that were inflicted on all such offenders must, consequently, be reckoned the punishments of those that blasphemed the Holy Ghost. And since we have seen those punishments under those respective heads before, we need inquire no further after them in this place; but only observe, 2dly, That the ancients, as many at least as went upon this supposition, That the blasphemy against the Holy Ghost was committed in these several crimes, could not imagine it to be a sin simply and absolutely incapable of pardon: because they did not shut the door of repentance to any such offenders, or reckon them altogether reprobate and desperate, but invited them to repent, and prayed for their conversion, and received them again to peace and communion upon their humble confession and evidences of a true repentance. Which argues, that they did not believe the sin against the Holy Ghost to be altogether unpardonable, but only to the impenitent; since they granted pardon to the penitent in this world, and gave them hopes of obtaining pardon from God in the world to come.

It is true, indeed, St. Austin, and several others in the Latin church, seem to say, that this sin is altogether unpardonable both in this world and the next. But if we rightly take their meaning, they differ not at all from the former. For they suppose, that no man perfectly commits the sin against the Holy Ghost, but he that finally dies obdurate, and in resistance to all the gracious motions and operations of the Holy Spirit to the end of his days: in which case, it is but natural to conclude from the nature of the thing, that such men can have no pardon for their sin, neither in this world nor the world to come: not because any thing they do in their life-time makes it an unpardonable sin in itself; but because they wilfully continue impenitent to the last, and so make it impossible and impracticable, upon the principles of the gospel, to obtain pardon either of God or his church, in this world or the world to come; since the covenant of grace and pardon only respects those who embrace it in this life, and not such as put off repentance to another world, where they will repent without remedy, or, in the apostle's words, "find no room for repentance," or change of God's purposes, "though they seek it carefully with tears."

In this sense Fulgentius understands our Saviour's words, as menacing punishment to those that obstinately continue in their wickedness, and let judgment overtake them in their sins. He says, Repentance is of advantage to every man in this life, whatever time he truly turns to God, *quamlibet iniquus, quamlibet annosus*, although he be the greatest of sinners, although he be grown old in sin; but if he continue obdurate to the last, there is no mercy for him. For as mercy will receive and absolve those that are converted,[31] so justice will repel and punish the obdurate. For they are those who sin against the Holy Ghost, and shall not have remission of sins either in this world or the world to come. The author of the book, Of True and False Repentance,[32] under the name of St. Austin, says the same, That they only sin against the Holy Ghost, who continue impenitent unto death. For the Holy Spirit is love, who gives his grace to us as an earnest. He therefore that sins, and desires not to recover his grace, nor ever after is concerned to be loved by him, nor seeks to him from whom he received his earnest, sins against the Holy Spirit, and shall never obtain pardon, either living, or after death: but no one sins against the Holy Spirit, that flies unto him for mercy. And therefore he says, Our Saviour's words to the Jews were rather an admonition to them, not to continue in sin, because if they went on as they had begun, their blasphemy would lead them unto death. Bacchiarius,[33] an African writer about the time of St. Austin, explains himself after the same manner. He says, This sin consists in such a despair of God's mercy, as makes men give over all hopes of attaining by the power of God to that state and condition from which they are fallen; and so consequently go on in sin without repentance to their lives' end.

St. Austin speaks often of this crime, and he places it in a continual resistance of the motions and graces of the Holy Spirit, by an invincible hardness of heart, and final impenitence to the end of a man's days. Some, says he,[34] placed it in the commission of mortal sins after baptism, and after having received the Holy Ghost, as doing despite to so great a gift of Christ, by falling into such sins as adultery, murder, apostacy, or separation from the catholic church. But this, he thinks, cannot be the meaning of it; because the church

[31] Fulgent. de Fide ad Petrum, cap. 3. Sicut enim misericordia suscipit, absolvitque conversos, ita justitia repellet, punietque obduratos. Ii sunt qui peccantes in Spiritum Sanctum, neque in hoc sæculo neque in futuro remissionem accipient peccatorum.

[32] Aug. De Vera et Falsa Pœnitent. cap. 4. t. 4. Soli peccant in Spiritum Sanctum, qui impœnitentes existunt usque ad mortem, &c.

[33] Bacchiar. Epist. De Recipiendis Lapsis, Bibl. Patr. t. 3. p. 133. Dico hoc ipsum, Desperare de Domino, in Spiritum esse peccare, quia Dominus est Spiritus, et ideo non remittitur ei, quia non crediderit Dominum reddere sibi posse quod perdidit.

[34] Aug. Ser. 11. de Verbis Domini, cap. 4

allows room for repentance for all sins, and corrects heretics only with this intent, that they may repent. He says further,[35] That it consists not in denying the Divinity or person of the Holy Ghost, or believing him to be a creature, unless men persist in these errors to the end of their days. For many catholic Christians were once Jews, or pagans, or heretics, such as the Arians, Eunomians, Macedonians, Sabellians, Patripassians, and Photinians, who all deny either the Divinity or the personality of the Holy Ghost. And if all these, who speak against the Holy Ghost, have no forgiveness, in vain do we promise or preach to men, that they should turn to God, and obtain peace and remission of sins by baptism, or in the church. For it is not said, with any exception, This sin shall not be forgiven, save only in baptism; but, "It shall not be forgiven, neither in this world, nor in the world to come." Hence he infers, that it is not all kind of blasphemy against the Holy Ghost, but a particular sort of blasphemy that is thus threatened. And that is final impenitency, or resisting to the uttermost the gracious offers of remission of sins made by the Holy Ghost. This impenitency[36] is the blasphemy that has neither remission in this world, nor in the world to come. But of this impenitency no one can judge, so long as a man lives in this life. We are to despair of no man, so long as the patience of God leads him to repentance, and does not snatch away the sinner out of life, who "would not the death of a sinner, but rather that he should return and live." A man is a pagan to-day; but how knowest thou but that he may become a Christian to-morrow? To-day he is an unbelieving Jew; but what if to-morrow he should believe in Christ? To-day he is a heretic; but what if to-morrow he should embrace the catholic truth? To-day he is a schismatic; but what if to-morrow he should return to the peace of the church? What if they, whom you mark as immersed in any kind of error, and damn as desperate, should repent, before they end this life, and find true life in the world to come? "Judge nothing," brethren, "before the time." For this blasphemy of the Spirit, which has no remission, and which we have showed to be a persevering hardness of an impenitent heart, cannot be descried in any man whilst he continues in this life. At last he concludes,[37] There is but one way to avoid the condemnation of this unpardonable blasphemy, which is, to beware of an impenitent heart, and to believe that repentance profits not but only in the catholic church, where remission is granted, and the unity of the Spirit is preserved in the bond of peace. St. Austin often repeats[38] this notion, and he gives the same account of what the apostle calls the "sin unto death," for which he forbids men to pray. He says, It means that hardness and impenitency of heart, whereby men obstinately reject faith, and charity, and remission of sins to their last hour. And whereas he had seemed to say in one place,[39] That this blasphemy consisted in a malicious and envious opposition to brotherly charity, after a man had received the grace of the Holy Ghost; he explains this in his Retractations,[40] saying, There ought to be added this condition, if he ends this wicked perverseness of mind: because we are not to despair of the very worst man, while he continues in this life; neither is there any imprudence in praying for him, of whom we do not despair. He confirms this notion again at large in his Commentary upon the Epistle to the Romans. Where he first gives this description of it:[41] That man sins against the Holy Ghost, who, despairing, or deriding, or contemning the preaching of grace, by which sins are washed away, and the preaching of peace, by which we are reconciled to God, refuses to repent of his sins, and resolves to continue hardening himself in the impious and deadly sweetness of them, and therein persists to his last end. He then shows, by great variety of instances, that any other blasphemy against the Spirit is capable of pardon, except this, which includes obduration to the last. The pagans daily blaspheme the whole Trinity, and the whole system of the Christian religion; and yet the church makes no scruple to receive them to pardon of sins by baptism upon their conversion. The Jews are charged by Stephen for resisting the Holy Ghost, and yet Paul, who was then one of the number of those whom he so charged, was afterwards filled with the same Spirit, which he had resisted. The Samaritans opposed the Holy Ghost, and yet both Christ and his apostles attest to the conversion of

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[35] Aug. Ser. 11. de Verbis Domini, cap. 3.

[36] Ibid. cap. 13. [37] Ibid. cap. 24.

[38] De Corrept. et Gratia, cap. 12. Ego dico id esse peccatum ad mortem, fidem quæ per dilectionem operatur, deserere usque ad mortem. It. Ep. 50. p. 88. Hoc est autem duritia cordis usque ad finem hujus vitæ, qua homo recusat in unitate corporis Christi, quod vivificat Spiritus Sanctus, remissionem accipere peccatorum. Enchirid. cap. 83. Qui in ecclesia remitti peccata non credens, contemnit tantam divini muneris largitatem, et in hac obstinatione mentis diem claudit extremum, reus est irremissibili peccato in Spiritum Sanctum, in quo Christus peccata dimittit.

[39] Aug. de Serm. Dom. in Monte, lib. 1. cap. 22.

[40] Retract. lib. 1. cap. 19. Sed tamen addendum fuit, si in hac tam scelerata mentis perversitate finierit hanc vitam: quoniam de quocunque pessimo in hac vita constituto non est utique desperandum, nec pro illo imprudenter oratur, de quo non desperatur.

[41] Aug. Expos. in Rom. i. t. 4. p. 363. Ille peccat in Spiritum Sanctum, qui desperans vel irridens atque contemnens prædicationem gratiæ, per quam peccata diluuntur, et pacis, per quam reconciliamur Deo, detrectat agere pœnitentiam de peccatis suis, et in eorum impia atque mortifera quadam suavitate perdurandum sibi esse decernit, et in finem usque perdurat.

many of them. Simon Magus had conceived very ill opinions of the Holy Spirit, so as to think his gifts might be purchased with money; yet St. Peter did not despair of him, so as to leave him no room for pardon, but kindly admonished him to repent. Neither does the catholic church shut the gate of pardon to any heretics or schismatics, or leave them without hopes of appeasing God, upon their correction and amendment: though some of them deny the very being and person of the Holy Ghost; others make him a mere creature, and deny his Godhead; others make the substance of the whole Trinity mutable and corruptible; others deny the mission of the Holy Ghost upon the apostles, and make his first descent to be upon Montanus; and others despise his sacraments, and rebaptize those who were baptized before "in the name of the Father, Son, and Holy Ghost." Nay, he thinks some of those very Jews, to whom our Saviour gave a caution against this crime, afterward repented of their blasphemy, though proceeding from envy and malice: and that St. Paul may be reckoned one of that number; being a blasphemer, and a persecutor, and injurious, as they were, in ignorance and unbelief; and putting himself in the number of those who were sometimes foolish, disobedient, deceived, serving divers lusts and pleasures, living in envy and malice, hateful, and hating one another. If, therefore, neither pagans, nor Hebrews, nor heretics, nor schismatics, yet unbaptized, are precluded from the sacrament of baptism, whatever opposition they have made to the Holy Ghost before, if they sincerely repent, and condemn their former life; if also they who have attained to the knowledge of the truth, and are baptized, may, after they have fallen into sin and resisted the Holy Ghost, be restored to the peace of God by repentance; finally, if they to whom our Saviour objected blasphemy against the Holy Ghost, might repent and be healed by flying to the mercy of God: what remains, but that by the sin against the Holy Ghost, which, our Lord says, "is never forgiven, neither in this world nor the world to come," we should understand nothing else[42] but perseverance in malignity and wickedness, with despair of the indulgence and mercy of God? For this is to resist the grace and peace of the Spirit, of which we are speaking. He says also, that our Saviour, in the same place where he reproves the Jews for their blasphemy, intimates, that the door of repentance and amendment was not yet shut against them, when he says, "Either make the tree good, and its fruit good; or else make the tree evil, and its fruit evil." Which could not with any reason have been said to them, if now for that blasphemy they could not have changed their mind for the better, and have brought forth the fruit of good works, or should in vain have brought them forth without remission of their sin. He therefore concludes, that they had not yet committed fully the unpardonable sin, but only begun it, in saying, that he "cast out devils by Beelzebub;" and that Christ admonishes them not to complete it, by resisting his grace and peace, either by despairing of pardon, or presuming on their own righteousness, or continuing impenitent, and persevering in their sins: for this was to speak the blasphemous word against the Holy Ghost, by which Christ wrought those miracles to bring them to his grace and peace. He observes here, That to speak blasphemy against the Holy Ghost, is not put to denote barely the uttering it with the tongue, but the conceiving it in the heart, and expressing it in actions. For as they are not properly said to confess God, who do it only with the sound of their lips, and not with their good works; so he who speaks the unpardonable word against the Holy Ghost, is not presumed to say it perfectly, unless he do as well as say it; that is, despair of the grace and peace which the Spirit gives, and resolve to persevere in his sins. That as the other deny God in their works, so these say by their works, that they resolve to persevere in an evil life and corrupt morals, and so say, and so do, that is, continue in them to the end of their days. Which if they do, what needs any one wonder that their blasphemy should be unpardonable? Or who is it now that cannot understand, both that the Lord Jesus by that commination called the Jews to repentance, that he might grant them grace and peace by their believing on him; and also how it becomes impossible that they should have pardon either in this world or the world to come, who resist this grace and peace, and after this manner speak the word of blasphemy against the Holy Ghost, that is, by a desperate and impious obstinacy of mind persevere in their sins, and proudly resist God without any humility of confession or repentance?

This was St. Austin's constant and invariable sense of this matter, out of which the schoolmen, I know not how, have raised six several species of blasphemy against the Holy Ghost, viz. despair, presumption, final impenitency, obstinacy in sin, opposing and impugning the truth which a man knows, and envious malice against the grace of the brethren: whereas nothing can be plainer, than that St. Austin resolves the whole matter into obstinacy in opposing the methods of Divine grace, and continuing in this obduration finally without repent-

[42] Aug. Expos. in Rom. i. t. 4. p. 366. Quid aliud restat, nisi ut peccatum in Spiritum Sanctum, quod neque in hoc seculo neque in futuro dimitti Dominus dicit, nullum intelligatur nisi perseverantia in nequitia et malignitate cum desperatione indulgentiæ Dei? &c.

ance. Other sins may lead the way to this blasphemy, in word or action, as infidelity or reviling the Spirit, in Jews or heathens; or heresy, or schism, or an immoral life, in Christians after baptism: but all this is only inchoative blasphemy, which does not render it absolutely unpardonable; for many of all these sorts have repented and obtained pardon: but when men continue obstinate in any of these sins, and finally die impenitent in them, then their sins become punishable in both worlds, and pardonable in neither; not for want of mercy in God or his church, but for want of repentance and capacity in the subject.

And by this account it is easy now to determine what sort of punishments and ecclesiastical censures were inflicted on this crime, as well in the first rise and beginning, as in the progress and consummation of it. The same punishment that was laid upon idolatry, or apostacy, or denying the Divinity of Christ or the Holy Spirit, or lapsing into any great immorality, or other blasphemy after baptism, was laid upon this sin of blaspheming the Holy Ghost; because it usually began in some of these notorious misdemeanors; of which if men truly repented, the door of mercy was still open to them, and the church was ready to receive them again to communion: but if they continued obdurate all their lives, and died in their impenitency, as this was esteemed the consummation of the great sin against the Holy Ghost, and properly the sin unto death; so it could have no forgiveness in this world, nor the world to come. They died excommunicate, and so had neither the solemnity of a Christian burial, nor the suffrages of the church after death; being struck out of her diptychs, and no memorial ever after made of them, as of persons desperate, and entirely out of God's favour. I have been the longer in explaining the sense of the ancients upon this point, not only because it is not very commonly known, but also because it may be of use both to caution ungodly men against the danger of final impenitency, which is the consummation of the blasphemy against the Holy Ghost; and likewise serve to comfort the pious, who need be in no concern about the commission of this sin, so long as they truly repent of all sin, and desire to please God in the constant tenor of a holy life. For this sin cannot consist with a true repentance: and though men have begun in any degree to commit it, yet, according to the general sense of the ancients, they are still capable of pardon, if they do not render it unpardonable by their own obstinacy and wilful impenitency to the hour of death, after which it can have no forgiveness in this world or the world to come.

Sect. 4. Of profane swearing. All oaths not forbidden.

The next transgression of the third commandment, which they punished with ecclesiastical censure, was profane swearing, or reproaching and dishonouring the name of God by oaths and execrations. By which they did not mean all oaths in general, nor yet any single act of rash and hasty swearing, (unless attended with some other aggravating crime or circumstance of apostacy, idolatry, perjury, or the like,) but only the habit and custom of profane swearing. Chrysostom indeed, and some others, in their sharp invectives against common swearing,[43] seem sometimes to carry the matter so far, as to deny the lawfulness of all oaths to Christians in any case whatsoever. But whatever private opinions some few might have of this matter, (in which they were not constant or consistent with themselves, as learned men[44] have observed,) it is certain there never was any public rule of the church to forbid this, and much less to make it the subject of ecclesiastical censure. The generality of Christians always esteemed the taking of an oath in necessary cases for confirmation of truth, to be a very lawful thing, as appears both from the laws themselves, ecclesiastical as well as civil, and from general practice. One of Constantine's laws is confirmed with a solemn oath in the very body of it, where he promises to encourage any one that shall give just information against the corrupt practices of his ministers,[45] with this formal asseveration, As the most high God shall be merciful to me, and preserve me in safety, according to my desire, in the flourishing state of the commonwealth. Nothing was more usual than the taking of oaths for confirmation of contracts, as is evident from that famous law of Arcadius[46] which inflicts many severe penalties upon all that violate their contracts made in the name, and confirmed by the authority of Almighty God; and also on such as broke their contracts, which they confirmed by an oath taken in that peculiar form of swearing by the emperor's safety. Which was a usual form of an oath among Christians, as ancient as Tertullian, who mentions it in answer to an objection made by the heathen against them, as if they were enemies to the government, and guilty of treason, because they refused to swear by the emperor's genius. To this he replies, That though they did not

[43] Vid. Sixtum Senensem, Bibliothec. lib. 6. Annot. 26. where all such passages are collected.

[44] Cave, Prim. Christ. part 3. cap. 1. p. 213.

[45] Cod. Theod. lib. 9. Tit. 1. de Accusation. Leg. 4. Ita mihi summa Divinitas semper propitia sit, et me incolumem præstet, ut cupio, felicissima et florente republica.

[46] Ibid. lib. 2. Tit. 9. de Pactis, Leg. 8. Si quis adversus pacta putaverit esse veniendum, non implendo promissa ea, quæ invocato nomine Dei Omnipotentis, eo auctore solidaverit, inuratur infamia, &c. Eos etiam hujus litis vel jactura dignos jubemus esse vel munere, qui nomina nostra placitis inserentes, salutem principum confirmationem initarum esse juraverint pactionum.

swear by the emperor's genius,[47] yet they made no scruple to swear by the emperor's safety, a thing more august than all the genii in the world. For the genii were nothing but devils. In the emperors they acknowledged God's institution and authority, who set them over the nations; and therefore they desired their safety and preservation, as God's appointment, and made a great and solemn oath of that: but for the demons, or genii, they were used to abjure them, in order to cast them out of the bodies of men; not to swear by them, and thereby confer Divine honour upon them. Athanasius mentions the same form as used in his time, both by the catholics and by Syrianus the prefect of Egypt, telling Constantius[48] that he swore by his safety. And the like instances are given by Sozomen,[49] and Zosimus[50] the heathen historian. In the collation of Carthage, Marcellinus, the emperor's commissioner, who was appointed to hear the debate between the catholics and the Donatists in the time of Honorius, at the entrance of the dispute promised both sides upon oath by the admirable mystery of the Trinity, and the sacrament or mystery of the Divine incarnation,[51] and the safety of the emperors, that he would judge truly according to the allegations of the parties. And the same form was observed in the military oath taken by the soldiers, when they entered upon the muster-roll, as we learn from Vegetius, who lived in the time of the younger Valentinian: he says,[52] They swore by God, by Christ, and the Holy Spirit, and the majesty of the emperor, which, next to God, is to be loved and honoured by mankind. In many other cases the law required men to swear upon weighty concerns. Constantine[53] required every witness to take an oath before he gave his testimony in any cause. And Justinian[54] not only confirmed this in his Code, but added several other cases, in which, not only witnesses, but also both the plaintiff, and defendant, and the advocates were to take their several oaths upon the Gospels. And this was called *juramentum de calumnia*, the oath of calumny,[55] where the plaintiff was particularly obliged, before he could prosecute his action, to swear that he did not bring his action against his adversary with any design to calumniate him, but because he thought he had a just and righteous cause: and the defendant was to take a like oath before he could give in his answer. They were likewise obliged by another[56] law to swear, That they had given no bribe to the judges or any other person, nor promised to give any, nor would hereafter give any. And it has been observed before,[57] that to prevent simony in elections to ecclesiastical preferments, the electors were obliged by the same laws of Justinian[58] to depose upon oath, That they did not choose the party elected either for gift, promise, or friendship, or any other reason, but because they knew him to be in every respect well qualified for such a station. And the party ordained was likewise to take an oath[59] upon the holy Gospels, at the time of his ordination, That he had neither given by himself, or other, nor promised to give, nor would hereafter give, to his ordainer, or to any of his electors, or any other persons, any thing to procure him an ordination. And for any bishop to ordain another bishop without observing this rule, is deposition by the same law both for the ordained and his ordainer. Which shows also, that the injunction of taking necessary oaths did not only bind in secular and civil affairs, but in ecclesiastical and sacred likewise. And here, not to insist upon all that is said in private writers; as Athanasius[60] requiring of Constantius, that his accusers might be put to their oath; and Evagrius, archdeacon of Constantinople,[61] swearing upon the holy Gospels; and what is said by St. Austin[62] and many others in justification of this practice in necessary cases: I only observe, that in some councils oaths are expressly required by general and provincial councils in many cases. The oath of fidelity to kings is required, by the fifth council of Toledo,[63] to be taken by all, both clergy and laity. And a reference is made to a former council of all Spain, where the same oath was established. That is the fourth council of Toledo, where a complaint is made[64] of many nations breaking the oath of fidelity

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[47] Tertul. Apol. cap. 32. Sed et juramus, sicut non per genios Cæsarum, ita per salutem eorum, quæ est augustior omnibus geniis, &c.

[48] Athan. Epist. ad Monachos, t. 1. p. 866. Vide Athan. Apol. ad Constant. t. 1. p. 689.

[49] Sozom. lib. 9. cap. 7.

[50] Zosim. Hist. lib. 5.

[51] Collat. Carth. die 1. cap. 5. Per admirabile mysterium Trinitatis, per incarnationis Dominicæ sacramentum, et per salutem principum, quod veri invenerit fides, judicaturum me esse promitto.

[52] Veget. de Re Militari, lib. 2. cap. 5.

[53] Cod. Theod. lib. 11. Tit. 39. Leg. 3. Jurisjurandi religione testes, priusquam perhibeant testimonium, jamdudum artari præcipimus.

[54] Justin. Cod. lib. 4. Tit. 20. de Testibus, Leg. 9.

[55] Cod. Justin. Tit. 59. de Jurejurando propter Calumniam, Leg. 1 et 2.

[56] Justin. Novel. 124. cap. 1.

[57] Chap. 6. sect. 28.

[58] Justin. Novel. 123. cap. 1.

[59] Ibid. 137. cap. 2.

[60] Athan. Apol. ad Constantium, t. 1. p. 678.

[61] Sozomen. lib. 6. cap. 30.

[62] Aug. Ep. 154. ad Publicolam. Ser. 30. de Verbis Apostoli. Lib. 1. de Serm. Dom. cap. 30. Greg. Naz. Ep. 219. ad Theodorum. Basil. in Psal. xiv. t. 1. p. 133. Hieron. in Matt. v.

[63] Conc. Tolet. 5. can. 2. Hoc quod Divinis sacramentis spospondimus, &c.

[64] Conc. Tolet. 4. can. 74. Quæ in hostibus jurata sponsio stabilis permanebit, quando nec ipsis propriis regibus juratam fidem conservant?—Sacrilegium quippe est, si violetur a gentibus regum suorum promissa fides: quia non solum in eos fit pacti transgressio, sed et in Deum, in cujus nomine pollicetur ipsa promissio, &c.

taken to their kings; which, they rightly observe, destroys their credit with all nations in matters of leagues and treaties about peace and war. For what enemy can depend upon their promises, though given upon oath, who do not preserve the faith which they swear to their own kings? Such violation of oaths and fidelity to their kings, is sacrilege; because it is not only a breach of compact against them, but against God, in whose name the promise is made. The same council[65] takes notice of kings promising upon oath to pardon criminals in some special cases. And the eighth council of Toledo mentions many cases in which it was usual to confirm matters with a solemn oath;[66] as the making of leagues; the settling of lasting and inviolable friendship; the taking of the evidence and depositions of witnesses in law; and in want of such evidence, the allowing a man to clear his own innocence by an oath of purgation. And in the sixth general council held at Constantinople, Georgius Chartophylax is appointed several times to take his corporal oath[67] by the Holy Scriptures, and God that speaks in them, concerning certain things, the truth of which he was to attest before the council. From all which it is evident, that the ancient Christians thought it a very lawful thing to ratify and confirm their faith by the formality of an oath, upon just and necessary occasions; and, consequently, that there could be no rule to prohibit it, much less to make it a crime worthy of ecclesiastical censure.

Sect. 5. But only the custom of vain and common swearing.

Neither was it every single act of vain and common swearing that brought a man under public discipline. For though every such act was esteemed a crime, yet it was not like the single act of apostacy, or idolatry, or murder, or adultery, but it must be a custom or habit of this vice that made a man liable to the severity of excommunication. Tertullian[68] says expressly, That every rash and vain oath did not bring a man under the discipline of public penance, but was reckoned among the sins of daily incursion, for which private repentance was appointed. And St. Chrysostom, who is most vehement and severe against this vice, does not threaten men with excommunication for every single act of it, but for obstinate continuance in the custom and practice of it after sufficient admonition. Having preached a whole Lent against swearing to the people of Antioch, he thus concludes his last discourse: The forty days of Lent are already past;[69] if Easter passes likewise without reforming this wicked custom, I will thenceforward pardon no man, nor use any longer admonition, but commanding authority, and sharpness not to be despised. It is no just apology in this case to plead custom. For why may not the robber as well plead custom, and thereby excuse himself from punishment? And why may not the murderer and adulterer do the same? Therefore I protest and denounce beforehand, that if I apprehend any who have not corrected this vice, I will inflict punishment upon them, and order them to be excluded from the participation of the holy mysteries. So, again, in another homily[70] to the people of Antioch: For this sin we mourn and lament; but if I find any to persist in it, I will exclude them from entering the doors of the church, and partaking of the heavenly mysteries. Nor let any one think to insult me by the help of his riches or power. Those things are no more to me than a mere fable, a shadow, or a dream. No rich man will be able to be my advocate when I am accused before God's tribunal, that I did not, with all my power and might, assert and vindicate the laws of God, by punishing the transgressors of them.

Sect. 6. And swearing by the creatures.

Another transgression of this command was, swearing by the creatures. The fourth council of Carthage[71] orders a clergyman that was found guilty of this crime, to be first sharply reproved, and if he persist in his fault, to be excommunicated. St. Jerom says[72] our Saviour prohibited it in those words, "Thou shalt not swear by heaven, nor by earth, nor by Jerusalem, nor by thy head." And there goes a decree under the name of Pope Pius I.,[73] which forbids men not only to swear by the hair or head of God, or any other such blasphemous oaths, but by the creature, under the penalty of excommunication.

But because this may seem to contradict what they said before, that a man might lawfully swear by the emperor's safety; we are to consider, that in such oaths they did not properly swear by the creatures, invoking them as witnesses of the truth of

[65] Conc. Tolet. 4. can. 30. Jurejurando supplicii indulgentia promittitur.

[66] Conc. Tolet. 8. can. 2. Omne quod in pacis fœdera venit, tunc solidius subsistit, cum juramenti hoc interpositio roborat, &c.

[67] Conc. 6. C. P. Act. 13. p. 378. Edit. Crab. Georgius Chartophylax juravit hoc modo: per has Sanctas Scripturas, et Deum qui per eas locutus est, &c. It. Act. 14. p. 382.

[68] Tertul. de Pudicit. cap. 19. See before, chap. 3. sect. 14.

[69] Chrys. Hom. 22. ad Pop. Antioch. t. 1. p. 294.

[70] Ibid. Hom. 17. in Mat. p. 182.

[71] Conc. Carth. 4. can. 61. Clericum per creaturas jurantem, acerrime objurgandum. Si persiterit in vitio, excommunicandum.

[72] Hieron. in Mat. v. Considera quod hic Salvator non per Deum jurare prohibuerit, sed per cœlum, et terram, et Hierosolymam, et per caput tuum.

[73] Ap. Gratian. Caus. 22. Quæst. 1. cap. 10. Si quis per capillum Dei vel caput juraverit, vel alio modo blasphemia contra Deum usus fuerit; si ecclesiastico ordine est, deponatur; si laicus, anathematizetur, et si quis per creaturam juraverit, acerrime castigetur, &c.

what they said, but only naming them with some relation to God, by whom they swore. Which, as learned[74] men observe, may lawfully be done two ways. 1. In execratory oaths, when a man devotes any creature, in which he himself has some right and property, and as it were oppignorates it to the severe vengeance of God the Judge, if he swear falsely. Thus a man may in a serious matter devote his head, his soul, his children, or any other thing belonging to him, if he knowingly forswear himself. Such examples of oaths we have in Scripture, which respect God always directly as Witness and Judge; and the creature only as some thing dear to us, which we are willing to pawn, to certify our neighbour thereby, that we intend not to deceive him, to the destruction of ourselves, or any things that are highly valued by us. Thus David swears, Psal. vii. 5, "If I have done any such thing, O Lord my God, or if there be any wickedness in my hands, then let my enemy persecute my soul." So St. Paul, 2 Cor. i. 23, "I call God for a record upon my soul." And thus men were used to swear by their head, devoting it to a curse, if they wittingly falsified. This way of using the name of a creature in an oath is reputed lawful, because this is not properly the oath, but only an appendix of it. 2. The other way of mentioning the creatures in an oath, without swearing by them, is, when by a testification of the civil respect and affection they have for them, they likewise signify in the presence of God the truth of what they say to men, that it is as certainly true, as they certainly and undoubtedly wish the wealth and prosperity of such a creature or person. Thus Joseph, when he swore by God, mentioned the life of Pharaoh, Gen. xlii. 15, which the Vulgar Latin renders, *per salutem Pharaonis*, from the Septuagint, *νὴ τὴν ὑγίειαν Φαραὼ*, by the safety of Pharaoh: which is the same form that, as we have seen before, the primitive Christians used, when they inserted the words, *per salutem imperatoris*, into their ordinary oaths conceived in the name of God only. For neither of these intended to swear by the creatures, but to testify in the presence of God, that what they asserted was as certainly true, as they wished the safety of Pharaoh, or the emperor, or as certainly as they were in health and in being. For such forms may be taken either by way of prayer, or asseveration and protestation; where the protestation is plainly expressed, but that which is properly the oath in the name of God is covertly understood. And in this sense, both the ancient Christians and Joseph are to be understood. For, as St. Basil[75] observes, there are some modes of expression which seem to be oaths, but are not properly oaths, but only asseverations, to confirm the truth to men: he instances in that of Joseph, who sware, *νὴ τὴν ὑγίειαν Φαραὼ*, by the safety of Pharaoh.

Sect. 7. And by the emperor's genius, and saints and angels.

But the case was otherwise when men swore directly by any creatures, as judgers and revengers of their thoughts, if they were false and perfidious in their deposition. Therefore, though the Christians admitted the naming of the emperor's safety in their oaths, they would never swear by the emperor's genius, because this was idolatry, and in effect apostatizing to heathenism, and renouncing the Christian religion. The persecutors required no more of them but this, as a testimony of their renunciation. In the Passion of Polycarp, recorded by Eusebius,[76] the proconsul required him frequently to swear by the emperor's genius: to which he constantly replied, That he was a Christian. So in the Acts of the Scillitan martyrs[77] in Africa, the judge bids them only swear by the emperor's genius, and that should pass for an acknowledgment of the Gentile religion: but they answered, We know nothing of the emperor's genius, but we worship and serve the God of heaven. The like is said by Origen,[78] We swear not by the emperor's fortune or genius: for whether fortune be only a casual thing, as some repute it, we swear not by that as a god, which is nothing in the world, lest we should apply the power of an oath to that which we ought not; or whether fortune be one of the demons, as others say, we rather choose to die, than swear by an impious and wicked devil. The like is said by Minucius,[79] That it was peculiar to the heathens to swear by the emperor's genius, that is, his demon; and that it was safer to forswear themselves by the genius of Jupiter, than the genius of the emperor. Tertullian[80] says, Christians absolutely refused to swear by this form, though they scrupled not to swear by the emperor's safety. But the heathen rebels were used to swear[81] by the emperor's genius, at the same time that they were plotting treason against him; which he frequently retorts upon them, because they were used to charge Christians[82] as traitors, because they would not swear by the emperor's genius. The nature of this crime then,

[74] Vid. Rivet. in Decalog. p. 126.

[75] Basil. in Psal. xiv. t. 1. p. 133.

[76] Euseb. lib. 4. cap. 15. p. 131. Ὄμοσον τὴν Καίσαρος τυχήν.

[77] Acta Mart. Scyllitan. ap. Baron. an. 202. n. 2. Proconsul dixit: Tantum jura per genium regis nostri. Speratus dixit, Ego imperatoris mundi genium nescio, sed cœlesti Deo meo servio.

[78] Orig. cont. Cels. lib. 7. p. 421.

[79] Minuc. p. 88. Genium, id est, dæmonem ejus implorant; et est eis tutius per Jovis genium pejerare quam regis.

[80] Tertul. Apol. cap. 32.

[81] Ibid. cap. 35. Unde Cassii, et Nigri, et Albini? Omnes illi sub ipsa usque impietatis eruptione et sacra faciebant pro salute imperatoris, et genium ejus dejerabant. It. lib. ad Scapulam, cap. 2.

[82] Tertul. ad Nationes, lib. 1. cap. 17.

we see, was plainly idolatry, and apostacy, in giving Divine honour to a demon instead of God, and thereby renouncing at once the Christian religion. Whatever penalties therefore were imposed on idolaters and apostates, the same we may conclude to have been the punishment of those who in times of persecution complied with the demands of the heathen, to swear by the emperor's genius or demon, which was to give Divine honour to creatures, and the worst of creatures, the apostate angels, who were in professed rebellion against God.

To swear by good angels, or saints, or the Virgin Mary, or their images and relics, though it had a more specious pretence, was not much short of the former vice. For all Divine worship being appropriated to God by the doctrine of the ancients; and the taking of an oath being one solemn act of that worship; they were no more disposed to swear by an angel or a saint than by the emperor's genius, or any other thing that might reasonably be interpreted a conferring the honour of God upon the creature. Therefore Optatus objects it to the Donatists, as a great piece of insolence and impiety, that whereas[83] men ought to swear only by God alone, Donatus suffered those of his party to swear by himself as a god. And his successors as greedily embraced this honour. For Optatus[84] charges the same impiety upon them all in general: The people swear by you, and are now commonly known to put your persons in the place of God. Men are used to name the name of God in oaths to confirm their faith or veracity: but while they swear by you, there is no mention of God or Christ among your party. If Divine religion be transplanted from heaven to you, seeing men swear by your name, why do you not assume the power of preventing all diseases in yourselves, and those of your party? Let no one die: command the clouds to rain, if you can: that men may swear more perfectly by your name, and take no notice of God. *O sacrilegium impietati commixtum!* O the sacrilege and impiety that concurs together in your actions, whilst you willingly hear men swear by your names, and let not the name of God be once mentioned in your ears! He says further, That they were[85] used to swear by their pretended martyrs, though they were men that suffered for their crimes, and not for the cause of religion. By which it is evident, that in the time of Optatus, to swear by the name of a man, whether living or dead, was reckoned no less a crime than sacrilege and impiety, as transferring the honour of God upon the creature. And, consequently, the same punishment that was due to sacrilege and impiety, must be supposed to be the punishment of this crime in all those that were guilty of it; though we read of few besides these heretics in those days that were disposed to run into it, till the worship of saints, and angels, and the Virgin Mary began to creep into the church; and then, together with that corruption, came in this other of joining the Virgin Mary, and the archangels Michael and Gabriel, in the same oath with God. The form of which sort of oaths we have in one of Justinian's Novels,[86] which obliges every governor of a province to take an oath of allegiance, and an oath against bribery, or corrupt entrance into his office, in this form: "I swear by God Almighty, and his only begotten Son our Lord Jesus Christ, and the Holy Ghost, and the most holy glorious mother of God, and ever Virgin Mary, and by the four Gospels which I hold in my hand, and by the holy archangels Michael and Gabriel, that I will keep a pure conscience, and pay faithful and true allegiance to their most sacred Majesties, Justinian and Theodora his consort, who put me into this office. And I swear by the same oath, that I neither gave, nor will give, nor promise to give, any thing to any one whatsoever for his patronage or assistance in procuring me this administration; but as I received it without bribery, so I will execute it with purity, being content with the public salary that is appointed me." The matter of this oath is exceeding good, but, it must be confessed, the form of it is a deviation from the purity and simplicity of former ages, when oaths were only made in the name of God, as a specialty of Divine worship peculiarly belonging to him. This is the first instance I remember of any oath of this kind allowed in the church: and it serves to show in how short a time corruptions may gain ground by authority; for that which was reputed sacrilege and impiety in the time of Optatus, was now become an instance of singular devotion to the archangels and the Virgin Mary. There are many other things might be noted concerning oaths; but here I only speak of such things as relate to the discipline of the church.

Sect. 8. Of perjury, and its punishment.

The next great crime that might be committed against the name and majesty of God, was perjury; which might be committed either at the time of taking

[83] Optat. lib. 3. p. 65. Cum per solum Deum soleant homines jurare, passus est homines per se sic jurare, tanquam per Deum.

[84] Ibid. lib. 2. p. 58. Populus vester per vos jurant, et personas vestras jam pro Deo habere noscuntur, &c.

[85] Ibid. lib. 3. p. 69. Quos vos inter martyres ponitis, per quos, tanquam per unicam religionem, vestræ communionis homines jurant.

[86] Justin. Novel. 9. Juro ego per Deum Omnipotentem, et Filium ejus unigenitum Dominum nostrum Jesum Christum, et Spiritum Sanctum, et per sanctam gloriosam Dei Genetricem et semper Virginem Mariam, et per quatuor Evangelia, quæ in manibus meis teneo, et per sanctos archangelos Michaelem et Gabrielem, puram conscientiam germanumque servitium me servaturum sacratissimis nostris Dominis Justiniano et Theodoræ conjugi ejus, &c.

the oath, by swearing to a false thing, or swearing to do some wicked and unlawful thing; or else afterward, by not performing what a man lawfully might, when he was solemnly engaged upon oath to do it. He that swore to do an unlawful thing, as suppose to live in perpetual enmity with another man, and never be reconciled to him, was, by the council of Lerida,[87] to be cast out of communion a whole year for his perjury, and obliged to repent of his unlawful oath, and be reconciled to his brother. For in this case, as the fathers and canons[88] determine, the unlawful oath was not to be kept, lest it should involve him, like Herod, in a double or triple sin; but he was to rescind his oath, and repent of his perjury, which was better than to add one sin to another under pretence of piety and religion. In this case the penance was so much the shorter, because men were supposed by some hasty passion to be involved rashly in this guilt, and not by any settled consideration.

But in other cases, perjury in attesting a false thing, or not performing a lawful oath, was more severely treated. For Chrysostom reckons perjury in the same class with murder, fornication,[89] and adultery. And St. Basil[90] imposes eleven years' penance upon those that were guilty of it: The perjured person shall be a mourner two years, a hearer three, a prostrator four, a co-stander one. The first council of Mascon[91] orders those that drew others into false witness or perjury, to be cast out of communion to the hour of death; and those that were so drawn in, to be for ever after incapable of giving testimony, and to be noted as infamous persons according to the laws; meaning, probably, the laws of the state, as well as the laws of the church. For, as Gothofred shows at large, the civil law under the old Romans set the brand of infamy upon all such perjured persons; and Honorius added several other penalties[92] to give new vigour to the ancient laws, and make them more effectual. I cannot here omit the relation which Eusebius gives of the Divine vengeance pursuing three perjured villains, who combined together to swear to a false accusation, which they had plotted beforehand against Narcissus, bishop of Jerusalem; because it shows, that when church discipline cannot take effect for want of evidence against the criminal, Providence is sometimes pleased to interpose, and revenge this crime by an immediate Divine judgment. Three men, he says,[93] who were afraid to be called in question by the bishop, and punished for their wicked lives, resolved to be beforehand with him, by contriving and bringing a heavy accusation against him. And to gain credit to their accusation before the church, they each confirmed it with a solemn oath. One of them wished, That, if he swore falsely, he might perish by fire; another, That his body might be consumed by some pestilential disease; and the third, That he might lose his eyes. The church gave no credit to their oaths, as knowing the bishop to be of a clear and unblamable life: however, he being not able to bear the calumny, and being otherwise of a long time desirous of a retired life, he thereupon withdrew into the wilderness, leaving his church, to live the life of a hermit. But the great eye of justice did not thus suffer the matter to rest, but presently revenged the miscreants with the curses they had imprecated upon themselves. For the first, by a little spark of fire, that casually happened in his house, and whereof no one could give any account, was in the night, himself, family, and house, universally burnt to ashes; the second was from the sole of the foot to the crown of his head overrun and consumed by the same pestilential disease which he had wished upon himself; and the third, seeing what had befallen the other two, and fearing the inevitable vengeance of the all-seeing God, confessed the whole plot and contrivance of the calumny which they had formed; and he testified his repentance with so deep a sorrow, that with the multitude of his tears he lost his sight. Thus these perjured wretches were punished by the hand of God, when ecclesiastical censure, for want of evidence, could not touch them.

Sect. 9. Of breach of vows.

The last transgression of this commandment, that was punished with ecclesiastical censure, was breach of vows, or promises solemnly made to God. And this was both in things and persons. If a man vowed to give his estate, or any part of it, to the service of God, it was a breach of vow, including sacrilege, to retract it. Ananias was severely censured for this, in such an extraordinary way, by the apostolical rod and mouth of St. Peter, as, in St. Basil's judgment, left him no room for repentance.[94] The church in after ages could not punish such delinquents in that extraordinary manner; but as every such

[87] Conc. Ilerdens. can 7. Qui sacramento se obligaverit, ut litigans cum quolibet, ad pacem nullo modo redeat, pro perjurio uno anno a communione sanguinis et corporis Dominici segregatus, reatum suum fletibus, eleemosynis, et quantis potuerit jejuniis absolvat.

[88] Vid. Conc. Tolet. 8. can. 2, where the testimonies of St. Ambrose, St. Austin, Gregory, and Isidore, are cited at large to this purpose. As also in Gratian. Caus. 22. Quæst. 4.

[89] Chrys. Hom. 17. in Matt. p. 182. It. Hom. 22. de Ira, t. 1. p. 294.

[90] Basil. can. 64.

[91] Conc. Matiscon. 1. can. 17. Si quis convictus fuerit alios ad falsum testimonium vel perjurium attraxisse, ipse quidem usque ad exitum non communicet: hi vero qui ei in perjurio consensisse probantur, post ab omni sunt testimonio prohibendi, et secundum legem infamia notabuntur.

[92] Vid. Cod. Theod. lib. 2. Tit. 9. de Pactis, Leg. 8. Et Gothofred. in locum.

[93] Euseb. lib. 6. cap. 9.

[94] Basil. Hom. de Institut. Monach.

breach of vow was a piece of sacrilege, as well as perfidiousness and perjury, we may be sure, the common penalties that were inflicted on those two crimes singly, were no less carefully imposed on this crime, where they centred both in combination. There was also a breach of vow, which concerned the dedication of persons to God. The clergy were supposed to be more peculiarly God's inheritance, dedicating themselves by a solemn act of their own voluntary choice to the ministry of his church; and therefore none of this order were allowed to desert their station, and turn seculars again, upon the severest penalty of excommunication. As appears from the rules of the general council of Chalcedon,[95] and the council of Tours.[96] Which the laws of the state confirmed by proper sanctions[97] of a civil nature, ordering all such deserters to be delivered up to the *curia* of the city, to serve there all their lives; and to forfeit all such estates as they were possessed of, to the church or monastery to which they belonged. For the same penalties were inflicted on monks and consecrated virgins and widows, who by any solemn vow had bid adieu to the world, and had betaken themselves to the ascetic life. If after this they married and returned to a secular life, though the church did not annul their marriage, under the notion of being adulterous, (which is now commonly done in the Romish communion,) yet she imposed a certain penance upon them, as guilty of perfidiousness and breach of vow. The council of Chalcedon[98] orders both monks and virgins to be excommunicated, if they married after their solemn consecration and profession. St. Basil says[99] they were to do the penance of fornicators or adulterers. Not that he reckoned their marriage fornication or adultery, but only to assign the term of their penance. For, as we have showed elsewhere[100] out of St. Austin,[101] such marriages were never reputed adultery, but true marriages, and therefore not annulled by any rule of the ancient church: though now, by the authority of the council of Trent, the contrary practice prevails in the Romish church, where all such marriages are reversed, and the parties obliged to separate from one another.

CHAPTER VIII.

OF SINS AGAINST THE FOURTH COMMANDMENT, OR VIOLATIONS OF THE LAW ENJOINING THE RELIGIOUS OBSERVATION OF THE LORD'S DAY.

Sect. 1. Absenting from religious assemblies on the Lord's day, how punished by the laws of the church.

Something has already been noted concerning the religious observation of the Lord's day in a former Book,[1] and more will be said hereafter, when we come to speak of the festivals, of which this was always reckoned the principal in the Christian church. Here, therefore, our present subject only requires us to remark such violations of the law enjoining the religious observation of the Lord's day, as made men liable to ecclesiastical censure. And first, it being a rule, that men should meet together to celebrate all Divine offices in public on the Lord's day; the voluntary absenting from this service, either in whole or in part, was ever reputed a crime worthy of ecclesiastical censure. To absent wholly, as heretics and schismatics did, by a chosen separation, though they met in private conventicles of their own, was esteemed such a violation of the law, as the church thought fit to punish with the severest censure of anathema: as appears from several canons of the council of Gangra,[2] which having been related at length before,[3] I need not here repeat them. Secondly, If men, who were otherwise orthodox, neglected, for any considerable time, to frequent the church on the Lord's day, this was a misdemeanor deserving to be corrected by a judicial suspension from the communion. This may be seen in the canons of Eliberis,[4] Sardica,[5] and the council of Trullo,[6] which, for the same reason, I forbear to recite.

Sect. 2. Of frequenting some part of the Lord's day service, and neglecting the rest.

Thirdly, To frequent some part of Divine service on the Lord's day, and neglect or withdraw from the rest, was, in those days, a crime of a very high nature, and punishable with excommunication. This is evident from those called the Apostolical Canons, one of which orders,[7] That all communicants, who came to church to hear the sermon and the Scriptures read, but did not stay to join in the prayers and receive the eucharist, should be suspended, as authors of confusion and disorder in the church. The same is decreed in the council of Antioch[8] in the same terms, and under the same penalty.

[95] Conc. Chalced. can. 7. [96] Conc. Turon. can. 5.
[97] Cod. Theod. lib. 6. Tit. 2. de Episc. Leg. 39. Cod. Justin. lib. 1. Tit. 3. de Episc. Leg. 55. Of which see more, Book VI. chap. 4. sect. 1.
[98] Conc. Chalced. can. 16. Vid. Conc. Tolet. 4. can. 54. Leo, Ep. 92. ad Rusticum, c. 12. Conc. Ancyr. can. 19.
[99] Basil. can. 60. [100] Book VII. chap. 3. sect. 23.
[101] Aug. de Bono Viduitatis, cap. 10.
[1] Book XIII. chap. 9. sect. 1.
[2] Conc. Gangrens. can. 5, 6, 7, &c.
[3] Book XVI. chap. 1. sect. 5.
[4] Conc. Eliber. can. 21.
[5] Conc. Sardic. can. 11. [6] Conc. Trull. can. 80.
[7] Canon. Apost. c. 7. [8] Conc. Antioch. can. 2.

The council of Eliberis[9] forbids the bishop to receive the oblations of such as did not communicate; which was, in effect, to exclude them from the communion of the church. And the first council of Toledo[10] orders such as come to church, but neglect to frequent the communion, to be admonished; and if, upon admonition, they amend not, then to put them under public penance, as great offenders. And another canon[11] of the same council adds, That if any present themselves to the communion, and take the eucharist at the hands of the priest, and yet forbear to eat it, they shall be driven out of the church as sacrilegious persons. All these canons suppose, what we have fully evinced in a former Book,[12] that the celebration of the eucharist was a standing part of Divine service every Lord's day; and that every Christian communicant, who was not under penance, was obliged to partake thereof, to fulfil the duty he owed to God upon this day: and, therefore, all such as neglected this part of Divine worship, were to be censured as transgressors, for contemning one principal part of the religious observation of the Lord's day. I cannot write this without lamenting the hard fate of many pious persons in the present age, whose disposition would incline them to be constant communicants every Lord's day, but they want opportunity in the present posture of affairs to execute their good designs. Such must content themselves with that of the apostle, "If there be first a willing mind, it is accepted according to that a man hath, and not according to that he hath not;" and in the mean time pray to God to find out a method in his good providence to restore the ancient discipline and primitive fervour. But I proceed.

Sect. 3. Fasting on the Lord's day prohibited under pain of excommunication.

It was an ancient and general custom in the primitive church, to keep the Lord's day as a festival, and day of rejoicing, in memory of our Saviour's resurrection; and never to fast on that day, no, not even in the time of Lent. And, therefore, to fast perversely on this day was always reputed a crime deserving ecclesiastical censure. Tertullian[13] says, They counted it a crime to fast on the Lord's day. And he remarks, That even the Montanists, who were the most rigid in observing their times of fasting, omitted[14] both Saturday and Sunday throughout the year. For though they observed three Lents, and two weeks of *xerophagia*, or dry meats, besides, yet they excepted the sabbath, or Saturday, and the Lord's day from these laws of fasting. St. Ambrose likewise tells us,[15] That the catholics were used to except these two days in their Lent fasts. They never fasted on the Lord's day, but thought they had reason to condemn the Manichees for so doing:[16] for to appoint that day to be a fast-day, was in effect to disbelieve the resurrection of Christ. Several other heretics beside the Manichees, were condemned for this practice by the first council of Braga:[17] they particularly name the Cerdonians, Marcionites, and Priscillianists, whom they anathematize upon this account, as fasting on the day of Christ's nativity and the Lord's day, because they did this in derogation to the truth of Christ's human nature. Pope Leo notes the Priscillianists[18] upon the same account. And the fourth council of Carthage[19] censures them as no catholics, who choose to fast upon this day. St. Austin[20] not only says, that it was the custom of the whole catholic church to abstain from fasting on this day, but that no one could do otherwise without giving great scandal to the church, because the impious Manichees had chosen this day particularly[21] to fast upon in opposition to the church. Upon these grounds and reasons the canons are very severe in their censures of such transgressors. If any one fast on the Lord's day, says the council of Gangra,[22] though it be under pretence of leading an ascetic life, let him be anathema. In like manner the Apostolical Canons,[23] If any clergyman fast on the Lord's day, or sabbath, (one only excepted, viz. the sabbath before Easter,) let him be deposed. If he be a layman, let him be cast out of the communion of the church. And this is repeated in the council of Trullo,[24] and other rules of the ancient church.

[9] Conc. Eliber. can. 28. Episcopum, placuit, ab eo qui non communicat, munera accipere non debere.

[10] Conc. Tolet. 1. can. 13. De his qui intrant in ecclesiam, et deprehenduntur nunquam communicare, admoneantur. Quod si non communicant, ad pœnitentiam accedant.

[11] Ibid. can. 14. Si quis autem acceptam a sacerdote eucharistiam non sumpserit, velut sacrilegus propellatur.

[12] Book XV. chap. 9.

[13] Tertul. de Coron. Mil. cap. 3. Die Dominico jejunare nefas ducimus.

[14] Id. de Jejun. adversus Psychicos, cap. 15. Duas in anno hebdomadas xerophagiarum, nec totas, exceptis scilicet sabbatis et Dominicis, Deo offerimus.

[15] Ambros. de Elia et Jejunio, cap. 10. Quadragesimæ totis, præter sabbatum et Dominicam, jejunatur diebus.

[16] Ambr. Ep. 83. Dominica jejunare non possumus, quia Manichæos etiam ob istius diei jejunia jure damnamus. Hoc enim est in resurrectionem Christi non credere, si quis legem jejunii die resurrectionis indicat.

[17] Conc. Bracar. 1. can. 4. Si quis natale Christi secundum carnem non vere honoret, sed honorare se simulat, jejunans in eodem die et in Dominico; quia Christum in vera hominis natura non credit, sicut Cerdon, Marcion, Manichæus, et Priscillianus, anathema sit.

[18] Leo, Ep. 93. ad Turibium, cap. 4.

[19] Conc. Carth. 4. can. 64. Qui Dominico die studiose jejunat, non credatur catholicus.

[20] Aug. Ep. 119. ad Januar. cap. 15.

[21] Ibid. 86. ad Casulan.

[22] Conc. Gangren. can. 18. Εἴ τις διὰ νομιζομένην ἄσκησιν ἐν τῇ κυριακῇ νηστεύοι, ἀνάθεμα ἔστω.

[23] Canon. Apost. 64.

[24] Conc. Trull. can. 55. Vid. Conc. Cæsaraugust. c. 2.

Sect. 4. Frequenting the theatre and other shows and pastimes on this day, how punished.

There were many other rules made by the ancients for the decent observation of the Lord's day: as, that men should abstain from all unnecessary bodily labour; that all law-suits and pleadings and prosecutions should cease upon this day; that Divine service should be performed standing, in memory of our Saviour's resurrection: but as the transgressions of these rules are not usually mentioned with the same commination of ecclesiastical punishments, the consideration of them belongs not to this head, but shall be reserved for its proper place, under the title of festivals, where the observation of the Lord's day will come again more particularly to be considered. But there is one thing more that must not here be omitted; which is, that when men neglected the public service of God, to follow vain sports and pastimes on this day, this was thought a crime worthy to be corrected by the severest censures of the church. The imperial laws forbade all public games and shows on this day. Theodosius the Great[25] speaks of two laws made by himself to this purpose. And Theodosius junior made another,[26] wherein he not only forbids the exhibiting of the shows on the Lord's day, but on the other great festivals, the Nativity, Epiphany, Easter, and Pentecost. But no penalties being annexed to these laws, there was still occasion for the laws of the church to restrain men by ecclesiastical censures. And therefore the canons made this crime to be noted as a heinous offence, and punished the transgressors with excommunication. If any one on a solemn day, says the fourth council of Carthage,[27] leave the solemn assembly of the church, to go to the shows, let him be excommunicated. And another canon[28] excommunicates those who leave the church whilst the bishop is preaching. The fifth council of Carthage, as it is related in the African Code,[29] petitioned the emperor Honorius to forbid all theatrical shows on the Lord's day and all the great festivals. St. Chrysostom[30] calls them Σατανικὰ συνέδρια, the conventions of Satan, and tells his auditory, he would no longer use gentle remedies, but styptics and caustics, to put a stop to the raging distemper. They that continued in this crime after this formal admonition, should be no longer endured, but feel the weight of the ecclesiastical laws, and learn thereby not to contemn the Divine oracles. By which it is evident, that though the games and pastimes of the circus and the theatre were still allowed under the Christian emperors, yet they were precisely forbidden on the Lord's day; and to frequent them at that time, was one of those great transgressions for which men felt the heaviest censures of the church.

CHAPTER IX.

OF GREAT TRANSGRESSIONS AGAINST THE FIFTH COMMANDMENT, DISOBEDIENCE TO PARENTS AND MASTERS, TREASON AND REBELLION AGAINST PRINCES, AND CONTEMPT OF THE LAWS OF THE CHURCH.

Sect. 1. Children not to desert their parents under pretence of religion. The censure of such as taught otherwise.

UNDER the name of parents is commonly understood not only the natural parents, but also the political or civil, that is, magistrates and rulers; as also spiritual parents, that is, the governors of the church; and economical parents, that is, masters of families; whose authority respectively over their children, subjects, people, and servants being very great, it was thought proper to secure it not only by the laws of the state, but also by the laws and spiritual censures of the church.

Children, by the old Roman law, were esteemed so much the property and possession of their parents, that they had power of life and death[1] over them; and also might sell them to be slaves without redemption[2] in cases of extreme necessity for their own maintenance, as appears from several laws in both the Codes; and the complaints made by the ancients[3] of this hardship; and the allusion which our Saviour makes in the parable to the like custom among the Jews, Matt. xviii., where the lord commands his debtor to be sold, and his wife and children, and all that he had, and payment to be

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[25] Cod. Theod. lib. 15. Tit. 5. de Spectaculis, Leg. 2. Illud etiam præmonemus, ne quis in legem nostram, quam dudum tulimus, committat: nullus solis die populo spectaculum præbeat, nec Divinam venerationem confecta solemnitate confundat.

[26] Ibid. Leg. 5. Dominico, qui septimanæ totius primus est dies, et Natale, atque Epiphaniorum Christi, Paschæ etiam et Quinquagesimæ diebus—omni theatrorum atque circensium voluptate populis denegata, totæ Christianorum ac fidelium mentes Dei cultibus occupantur, &c. Vid. Cod. Justin. lib. 3. Tit. 12. de Feriis, Leg. 11. Leonis et Anthemii.

[27] Conc. Carth. 4. can. 88. Qui die solenni prætermisso solenni ecclesiæ conventu, ad spectacula vadit, excommunicetur.

[28] Ibid. can. 24. Sacerdote verbum faciente in ecclesia, qui de auditorio egressus fuerit, excommunicetur.

[29] Cod. Afric. can. 61.

[30] Chrys. Hom. 6. in Gen. t. 2. p. 53.

[1] Cod. Justin. lib. 8. Tit. 47. de Patria Potestate, Leg. 10. Patribus jus vitæ in liberos necisque potestas olim erat permissa.

[2] Cod. Theod. lib. 3. Tit. 3. de Patribus qui Filios distraxerunt, Leg. 1. et Lib. 5. Tit. 8. de his qui sanguinolentos emptos acceperint. Et lib. 11. Tit. 27. de Alimentis quæ inopes Parentes de Publico petere debent. Leg. 1 et 2. It. Valentin. Novel. 11.

[3] Vid. Basil. Hom. in Psal. xiv. t. 1. p. 141.

made. And though the laws of Christian emperors a little restrained this exorbitant power of parents; taking from them the power of life and death; and allowing children[4] to be maintained out of the public revenue, to prevent being sold; or to be redeemed again, if sold: yet still they left a considerable power in the hands of parents to dispose of their children, whilst they were minors or under age, only excepting the cases of slavery and death. For till the time of Justinian, children were not allowed to betake themselves to a monastic life without or against the consent of their parents. Which is evident from the Rule of St. Basil,[5] which forbids children to be received into monasteries, unless they were offered by their parents, if their parents were alive. And the council of Gangra lays a heavy penalty[6] upon them: If any children under pretence of religion forsake their parents, and give them not the honour due unto them, let them be anathema. This doctrine was taught and propagated by the Eustathian heretics, who also taught, that women might leave their husbands, and parents desert their children, and take no further care of them, under the same pretence of betaking themselves to a monastic life. Against whom[7] the same council made several other canons, imposing the like penalty upon them.

Sect. 2. Children not to marry without consent of their parents.

Another branch of paternal power was the right which parents had to dispose of their children in marriage: which right was so carefully guarded by the imperial laws, that we scarce find any crime so severely revenged as the violation of it, when children who were under their parents' power, married without or against the consent of their parents, or such guardians and tutors as were in the room of them. Witness that famous law of Constantine in the Theodosian Code,[8] which runs in these terms: If any one, without first obtaining the consent of parents, steal a virgin against her will, or carry her off by her own consent, hoping that her consent will protect him; he shall have no benefit from such consent, as the ancient laws have determined; but the virgin herself shall be held guilty, as partaker in the crime. If any nurse be instrumental or accessory to the fact by her persuasions, which often defeat the parents' care, her detestable service shall be revenged by pouring molten lead into her mouth, that ministered to such wicked counsels. If the virgin be detected to have given her consent, she shall be punished with the same severity as the raptor himself: seeing she that is stolen away against her will, is not suffered to go unpunished; because she might have kept herself at home; or if she was taken by violence out of her father's house, she should have cried out for help to the neighbourhood, and used all means possible to defend herself. But on such we impose only a lighter punishment, denying them the right of succeeding to their father's inheritance. But the raptor himself, being clearly convicted, shall have no benefit of appeal. If parents, who are chiefly concerned to prosecute this crime, connive at it, they shall be banished. All who are partners or assistants to the raptor, shall be liable to the same punishment, without distinction of sex. And if any such be slaves, they shall be burnt alive. This law of Constantine's is confirmed by another law of his son Constans; only with this difference,[9] that whereas Constantine's law ordered the criminals to be burnt alive, or thrown to the wild beasts, as Gothofred interprets it; this of Constans so far moderated the punishment, as to let it be only a common death, that it might more duly be put in execution. Yet if any slaves were concerned in aiding the raptors in such attempts, they were still to be burnt alive, according to the tenor of the former law. By another law of Valentinian[10] and Gratian, widows are not allowed to marry a second time without the consent of their parents, if they were under the age of twenty-five years, although they were *sui juris*, and enjoyed the liberty of emancipation. And there are many other laws in both the Codes[11] to the same purpose. The ecclesiastical laws in this concur with the civil law. St. Austin[12] says expressly, That mothers as well as fathers have this right in their children, to dispose of them in marriage, unless they be of that age, which gives them liberty to choose for themselves. Tertullian says the same,[13] That children cannot

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[4] Cod. Theod. lib. 9. Tit. 15. de his qui Parentes vel Liberos occiderunt, Leg. unica. Et lib. 11. Tit. 27. Leg. 1 et 2.

[5] Basil. Regul. Major. qu. 15.

[6] Conc. Gangren. can. 16. [7] Ibid. can. 13, 14, 15.

[8] Cod. Theod. lib. 9. Tit. 24. de Raptu Virginum et Viduar. Leg. 1. Si quis nihil cum parentibus puellæ ante depectus, invitam eam rapuerit, vel volentem abduxerit—— nihil ei secundum jus vetus prosit puellæ responsio, sed ipsa puella potius societate criminis obligetur, &c.

[9] Cod. Theod. ibid. Leg. 2. Quamvis legis prioris extet auctoritas, qua inclitus pater noster contra raptores atrocissime jusserat vindicari, tamen nos tantummodo capitalem pœnam constituimus; videlicet, ne sub specie atrocioris judicii aliqua in ulciscendo crimine dilatio nasceretur. In audaciam vero servilem dispari supplicio mensura legum impendenda est, ut perurendi subjiciantur ignibus.

[10] Cod. Theod. lib. 3. Tit. 7. de Nuptiis, Leg. 1. Viduæ intra 25 annum degentes, etiamsi emancipationis libertate gaudeant, tamen in secundas nuptias non sine patris sententia conveniant.

[11] Vid. Cod. Theod. ibid. Leg. 3. Cod. Justin. lib. 5. Tit. 4. de Nuptiis, Leg. 1, 2, 7, 20. Justin. Instit. lib. 1. Tit. 10. de Nuptiis.

[12] Aug. Ep. 233. ad Benenatum. Matris voluntatem in tradenda filia omnibus, ut arbitror, natura præponit, nisi eadem puella in ea jam ætate fuerit, ut jure licentiori sibi ipsi eligat quid velit.

[13] Tertul. ad Uxor. lib. 2. cap. 9. Nam nec in terris filii sine consensu patrum rite et jure nubent.

lawfully marry without the consent of their earthly parents. St. Basil,[14] in one of his canons, gives directions, that they who stole virgins should be treated as fornicators, that is, do four years' penance; and when the virgins were restored to their guardians, it was at their discretion whether they would give them in marriage to the raptors or not. In another canon[15] he says, If slaves marry without the consent of their masters, or children without the consent of their parents, it is not matrimony, but fornication, till they ratify it by their consent. Again,[16] If virgins who are under the power of their parents, marry without their consent, they are to be treated as harlots. If their parents are afterward reconciled to them, and give their consent, yet they shall do three years' penance for their first transgression. And again,[17] If a slave marry without the consent of her master, she differs nothing from a harlot. For contracts made without the consent of those under whose power they are, have no validity, but are null. And therefore, though the master afterward give his consent, and make the marriage good, yet the first fault shall be punished as fornication.

Sect. 3. Nor slaves without the consent of their masters.

It appears from two of these last-mentioned canons, that slaves were as much under the power of their masters as children were under their parents; and therefore it was equally a crime for a slave to marry without the consent of the master, as for a child to do it without consent of parents. And for the same reason a slave was not allowed either to enter himself into a monastery, or take orders, without the consent of his master, as has been showed[18] in other places, because this was to deprive his master of his legal right of service, which, by the original state and condition of slaves, was his due; and the church would not be accessory to such frauds and injustice, but rather discourage them by prohibitions and suitable penalties laid upon them.

Sect. 4. The punishment of treason and disrespect to princes.

Another sort of parents, whose honour was intended to be secured by this command, were the political parents, *patres patriæ*, kings and emperors, whose authority and majesty was reputed sacred and supreme next under God. And therefore all disloyalty and disrespect showed to them, either in word or action, was always severely chastised by the laws of the church. I need not here suggest what civil penalties were inflicted by the laws of the state upon transgressors in this kind, because the ancient civil codes are full of them under several titles, which the learned reader may consult at his own leisure, such as speaking evil[19] of dignities; counterfeiting their[20] letters; corrupting or counterfeiting their coin;[21] consulting augurs or astrologers about the term of their life,[22] or using any curious arts to know who should be their successor; raising of tumults[23] to the disturbance of the public discipline; conspiring against their lives or government;[24] bearing arms[25] without their authority; and the like crimes, which come under the general names of sedition, treason, conspiracy, and rebellion, which were always excepted in those general indulgences[26] that the emperors were wont to grant at Easter to other criminals. I need not say further, that the contempt of the imperial laws was usually reputed a sort of sacrilege[27] by the laws themselves, and punished under that title. That which I am chiefly concerned to remark here, is the ecclesiastical punishment of disloyalty and treason, and all scandalous contempt of civil government; against which sort of crimes, whether in word or deed, the ancients showed great resentment. For the first three hundred years they gloried greatly over the heathens in this, that though the emperors were heathens, and some of them furious persecutors of the Christians, yet there were never any seditious or disloyal persons to be found among the persecuted Christians. You defame us, says Tertullian,[28] with treason against the emperor, and yet never could any Albinians, Nigrians, or Cassians, (persons that had taken arms against the emperors,) be found among the Christians. Such as those, are they that swear by the emperor's genii, that have offered sacrifice for their safety, that have often condemned Christians; these are the men that are found enemies to the emperors. A Christian is no man's enemy, much less the emperor's; knowing him to be the ordinance of God, he cannot but love, revere, and honour him,

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[14] Basil. can. 22. [15] Ibid. can. 42.

[16] Ibid. can. 38. Et ap. Matthæum. Monach. Respons. Matrimon. in Jure Gr. Rom. Leunclavii, p. 500.

[17] Basil. can. 40.

[18] Book IV. chap. 4. sect. 3. Book VII. chap. 3. sect. 2.

[19] Cod. Theod. lib. 9. Tit. 4. Si quis imperatori maledixerit, Leg. 1.

[20] Ibid. lib. 9. Tit. 19. ad Legem Corneliam de Falso, Leg. 3.

[21] Ibid. Tit. 21. de Falsa Moneta. Tit. 22. Si quis solidi circulum inciderit, vel adulteratum subjecerit. Tit. 23. Si quis pecunias conflaverit, &c.

[22] Ibid. lib. 9. Tit. 16. de Malefic. et Mathemat. Leg. 8.

[23] Ibid. lib. 9. Tit. 33. de iis qui Plebem audent contra Publicam colligere Disciplinam.

[24] Ibid. lib. 9. Tit. 5. ad Legem Juliam Majestatis. Tit. 6. Ne præter crimen Majestatis servus Dominum accuset. Tit. 14. ad Legem Corneliam de sicariis. Tit. 40. de Pœnis, Leg. 15, 16, 17. Lib. 15. Tit. 14. de infirmandis his quæ sub Tyrannis gesta sunt.

[25] Ibid. lib. 15. Tit. 15. Ut armorum usus inscio principe interdictus sit.

[26] Ibid. lib. 9. Tit. 38. de Indulgentiis Criminum.

[27] Ibid. lib. 6. Tit. 5. Leg. 2. Sit plane sacrilegii reus qui divina præcepta neglexerit. It. Tit. 24. de Domesticis, Leg. 4. Et Tit. 35. de Privilegiis Militum Palatinor. Leg. 13. et passim alibi.

[28] Tertul. ad Scapul. cap. 2.

and desire that he and the whole Roman empire may be in safety to the end of the world. We worship the emperor as much as is either lawful or expedient, as one that is next to God; we sacrifice for his safety, but it is only to his and our God; and in such manner as he has commanded, only by holy prayer. For the great God needs no blood or sweet perfumes: these are the banquets and repast of devils, whom we not only reject, but expel at every turn. For this reason, during this interval, there was no need of ecclesiastical punishments to correct traitors against the civil government, because there were no such among Christians. But when the whole world was become Christian, there was occasion for such laws to be made against sedition and treason. And then we find several canons to prevent or correct it. The fourth council of Carthage[29] forbids the ordination of any seditious persons, as those that would be a scandal to the profession. And this is repeated in the same words by the council of Agde.[30] The fourth council of Toledo[31] orders all clergymen that took arms in any sedition, to be degraded from their order, and to be confined to a monastery, to do penance there all their lives. The fifth council of Toledo[32] mentions an oath of allegiance, which, in a former general council of all Spain, was appointed to be taken by all the subjects to the king and his heirs: and a most severe anathema is pronounced against all that should violate any part of it. Particularly they excommunicate and anathematize all that should pretend to usurp the throne[33] without the consent of the nobility and the whole Gothic nation; all that should make any curious[34] and unlawful inquiries about the fatal period of the life of the prince; all that should speak evil of him: for it is written, "Thou shalt not speak evil of the ruler of thy people." If railers shall not inherit[35] the kingdom of God, how much rather ought such contemners of the Divine law to be cast out of the church! Finally, they made an order,[36] That in every council held in Spain, this decree concerning allegiance due to princes should be read, when all other things were done, to the end that no one might be unmindful of his duty and obligations to the sovereign power. And, accordingly, we find the same decree repeated and confirmed in several other councils of that nation.[37]

Sect. 5. Of contemners of the laws of the church.

The last sort of parents to whom honour and obedience is due, are the spiritual parents, or governors of the church; the contempt of whose laws and rules made for the good government, order, and edification of the church, was always thought a matter worthy of ecclesiastical censure. There are innumerable instances of this in the acts and canons of the ancient councils: I shall content myself with relating two or three, which concern matters purely of ecclesiastical observation. The council of Antioch[38] excommunicates all those who pertinaciously oppose the rule made about Easter in the council of Nice. The first council of Carthage[39] more generally censures all opposers of ecclesiastical orders: If any one viciously transgress or contemn the decrees of the church; if he be a layman, let him be excommunicated; if a clergyman, let him be deprived of the honour of his order. The council of Epone in like manner[40] concludes her decrees with this sanction: If any one disorderly transgress the rules and observations, which the holy bishops have made in this present council, and confirmed with their subscriptions, let him know that he shall be liable to the judgment both of God and the church. The fourth council of Toledo[41] orders such as reject the use of the hymns and prayers appointed by the church, to be punished with excommunication. And King Reccaredus, in the third council of Toledo,[42] besides excommunication, orders a civil penalty of confiscation and banishment to be inflicted on such as proudly contemned the rules then made in council, and refused to yield obedience to them. And laws of the same import occur every where both in the civil and ecclesiastical codes, so that I need not trouble the learned reader with any more of them, having suggested these few as a specimen of that obedience which was required to be paid to the laws and authority of the church under the penalty of excommunication.

29 Conc. Carth. 4. can. 67. Seditionarios nunquam ordinandos clericos, sicut nec usurarios, nec injuriarum suarum ultores.

30 Conc. Agathen. c. 69.

31 Conc. Tolet. 4. can. 44. Clerici qui in quacunque seditione arma volentes sumpserint, aut sumpserunt, reperti, amisso ordinis sui gradu, in monasterium contradantur pœnitentiæ.

32 Conc. Tolet. 5. can. 2. Sit anathema in Christianorum omnium cœtu, atque superno condemnetur judicio: sit exprobrabilis omnibus catholicis, et abominabilis sanctis angelis in ministerio Dei constitutis: sit in hoc sæculo perditus, et in futuro condemnatus, qui tam rectæ provisioni noluit præbere consensum.

33 Ibid. can. 3.

34 Ibid. can. 4.

35 Ibid. can. 5.

36 Ibid. can. 7.

37 Conc. Tolet. 6. can. 17 et 18. Tolet. 12. can. 1. Tolet. 10. can. 2.

38 Conc. Antioch. can. 1.

39 Conc. Carth. 1. can. 14. Si quis statuta supergressus corruperit, vel pro nihilo habenda putaverit, si laicus est, communione, si clericus est, honore privetur.

40 Conc. Epaunens. can. 40. Si quis sanctorum antistitum qui statuta præsentia subscriptionibus propriis firmaverunt, relicta integritate, observationes excesserit, reum se Divinitatis pariter et fraternitatis judicio futurum esse cognoscat.

41 Conc. Tolet. 4. can. 12. Sicut orationes, ita et hymnos in laudem Dei compositos, nullus nostrum ulterius improbet, sed pari modo in Gallicia Hispaniaque celebrent, excommunicatione plectendi, qui hymnos rejicere fuerint ausi.

42 Edict. Reccaredi ad calcem Conc. 3. Toletani.

CHAPTER X.

OF GREAT TRANSGRESSIONS AGAINST THE SIXTH COMMANDMENT, MURDER, MANSLAUGHTER, PARRICIDE, SELF-MURDER, DISMEMBERING THE BODY, CAUSING ABORTION, ETC.

Sect. 1. Murder ever reckoned a capital and unpardonable crime by the laws of the state.

WE are now come to the great sin of murder, which the civil laws always reckon among those called *atrocia delicta*, and *atrocissima crimina*, those heinous and capital crimes, for which they neither allowed pardon nor appeal after clear conviction. This crime was always excepted in those indulgences[1] or general pardons which the emperors granted to criminals upon the account of their children's birth-days, or the annual returns of the Easter festival, or any the like occasion. And whereas many other criminals were allowed the benefit of appealing, this was wholly denied[2] to murderers; nor might any such criminals anciently pretend to shelter themselves by taking sanctuary in the church; which is expressly provided by a law of Justinian,[3] determining who may or may not take refuge in the church; where, among those to whom this privilege is denied, murderers, adulterers, and ravishers of virgins are particularly recounted.

Sect. 2. How punished by the laws of the church.

By the most ancient laws of some churches, murderers seem to have been subjected to a perpetual penance all their lives, and by some denied communion even at the hour of death. Tertullian[4] says plainly, that neither idolaters nor murderers were admitted to the peace of the church. And that he means not here, by the church, his own sect of the Montanists, but the catholic churches, is concluded by learned[5] men from hence, that he is arguing with the catholics, that they ought to deny adulterers the peace of the church by the same reason and rule that they denied it to idolaters and murderers. Which implies, at least, that some catholic churches in Africa refused to admit murderers to communion. Which is the more probable from what Cyprian says of some of his predecessors, that they were used to deny fornicators and adulterers[6] the peace of the church, though they did not upon this break communion with others that admitted them. Now, murder being as great a crime as adultery, it is likely they rejected murderers as well as adulterers utterly from their communion. In the following ages the term of their penance was a little moderated; for the council of Ancyra[7] obliges them only to do penance all their lives, and allows them to be received at the hour of death. Other canons reduce their penance to a certain term of years. St. Basil[8] appoints the wilful murderer twenty years' penance; four years as a mourner; five years as a hearer; seven years as a prostrator; four years as a co-stander only, to hear the prayers without receiving the communion.

Sect. 3. The heinousness of murder when joined with other crimes, such as idolatry, adultery, and magical practices.

Yet in some cases the discipline continued still to be more severe against murder, when it happened to be complicated with other great crimes, such as idolatry, adultery, and the practice of magical and diabolical arts against the lives of men; because these were great aggravations to inflame the account of murder. Thus in the council of Eliberis,[9] If any Christian took upon him the office of a heathen *flamen*, and therein sacrificed and committed adultery and murder; (which might be done either directly, by a personal commission of those crimes; or indirectly, by exhibiting the games and shows, wherein adultery and murder were committed by their authority and concurrence;) in such a case he was to be denied communion even at the hour of death, because he had doubled and tripled his crime, as the canon words it. So again, if any one used pharmacy or magical art[10] to kill another, he was not to be received into communion even at the hour of death, because here was a conjunction of idolatry with murder. In like manner another canon[11] of the same council orders, That if a woman conceive by adultery in the absence of her husband, and after that murder her child, she shall be rejected to the very last, because she has doubled her crime. But the council of Ancyra is a little more favourable in the case of simple fornication joined with murder. For it is

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[1] Cod. Theod. lib. 9. Tit. 38. de Indulgentiis Criminum, Leg. 1, 3, 4, 6, 7, 8.

[2] Ibid. lib. 11. Tit. 36. Quorum Appellationes non recipiendæ, Leg. 1. Cum homicidam, vel maleficum, vel veneficum (quæ atrocissima crimina sunt) confessio propria, &c. detexerit, provocationes suscipi non oportet. It. Leg. 7. ibid.

[3] Justin. Novel. 17. cap. 7.

[4] Tertul. de Pudicit. cap. 12. Neque idololatriæ neque sanguini pax ab ecclesiis redditur.

[5] Vid. Albaspin. Observat. lib. 2. c. 15. p. 123.

[6] Cypr. Ep. 52. al. 55. ad Antonian. p. 110. Apud antecessores nostros quidam de episcopis istic in provincia nostra dandam pacem mœchis non putaverunt, et in totum pœnitentiæ locum contra adulteria clauserunt, &c.

[7] Conc. Ancyr. can. 22. It Conc. Epaunens. can. 31.

[8] Basil. can. 56.

[9] Conc. Eliber. can. 2. Flamines qui post fidem lavacri et regenerationis sacrificaverunt: eo quod geminaverint scelera, accedente homicidio, vel triplicaverint facinus, cohærente mœchia, placuit eos nec in fine accipere communionem.

[10] Ibid. can. 6. Si quis maleficio interficiat alterum, eo quod sine idololatria perficere scelus non potuit, nec in fine impertiendam esse illi communionem.

[11] Ibid. can. 63. Si qua per adulterum, absente marito, conceperit, idque post facinus occiderit, placuit neque in fine dandam esse communionem, eo quod geminaverit scelus.

there observed,[12] That if a woman committed fornication, and murdered her infant, or caused abortion, she should only do ten years' penance, though by former canons she was obliged to do penance all her life. The council of Lerida[13] appoints seven years' penance for common murder; but if it be done by sorcery, then it was penance for the whole life.

Sect. 4. Causing of abortion condemned and punished as murder.

And here we may observe, that causing of abortion was esteemed one species of murder, and accordingly punished as such, when wilfully procured. So it is determined not only in the forementioned canon of Ancyra, but in the canons of St. Basil:[14] Let her that procures abortion undergo ten years' penance, whether the embryo be perfectly formed or not. So again, They are murderers who take medicines to procure abortion. And so the council of Trullo:[15] They who give medicines to cause abortion, and they who take pernicious physic to destroy the embryo in the womb, are to undergo the penance of murderers. The council of Lerida puts those who destroy the conception in the womb, by certain potions,[16] into the same class with those that kill infants after they are born; and appoints a course of seven years' penance for both sorts, as joining murder to adultery. The private writers among the ancients with one consent declare this to be murder. In the prohibition of murder, says Tertullian,[17] We are forbidden to destroy the conception in the womb, whilst the blood is in its first formation of a human body. To hinder that which might be born, is but an anticipation or hastening of murder; and it is all one, whether a man destroy that life which is already born, or disturb that which is preparing to be born. He is a man, who is in a disposition to be a man, and all fruit is now in its seed or principle of existence. This he says in answer to the heathen objection, who charged the Christians with feasting upon the blood of an infant in their sacred mysteries. Minucius[18] inverts the charge upon the heathen, telling them, it was their own practice by medicated potions to destroy man, that would be, in his first original, and for mothers to commit parricide before they brought forth. But as for Christians, says Athenagoras, writing in their behalf,[19] how should they be guilty of murdering men, who declare, that mothers who use medicines to cause abortion are murderers, and must give account of their wickedness unto God. St. Jerom[20] calls this crime in women, drinking of barrenness, and murdering of infants before they were born. And it was a crime which the old Roman law[21] punished with banishment, and sometimes with death;[22] as Tryphonius the lawyer observes out of Tully; though Tertullian complains that these laws were very much neglected and contemned. However, we see in the Christian church this sort of murder was reckoned a very heinous crime by all writers, and punished with great severity by the canons against wilful murder in the church.

Sect. 5. The punishment of parricide.

Indeed, this sort of murder was one species of parricide, which included not only the murder of parents, but of children, and other relations, to whom men were bound by natural affection. And this had a noted and peculiar punishment among the old Romans, which was to tie up the parricide in a sack with a serpent, an ape, a cock, and a dog, and throw them all alive into the sea; of which Gothofred will furnish the curious reader with great variety of instances out of the old Roman laws and writers. The Lex Pompeia changed this punishment into that of the sword, or burning, or throwing to wild beasts. But Constantine introduced the ancient punishment; and from his law,[23] which I shall transcribe, we may take the account and description of it. "If any one hasten the fate of his parent, or son, or any the like relation, which goes under the name of parricide, whether he attempt it privately

[12] Conc. Ancyr. can. 21.

[13] Conc. Ilerden. can. 2. Ipsis autem veneficis in exitu tantum communio tribuatur.

[14] Basil. can. 2 et 8.

[15] Conc. Trull. can. 91.

[16] Conc. Ilerden. can. 2. Hi vero qui male conceptos ex adulterio fœtus, vel editos necare studuerint, vel in uteris matrum potionibus aliquibus colliserint, in utroque sexu adulteris, post septem annorum curricula communio tribuatur.

[17] Tertul. Apol. cap. 9. Nobis homicidio semel interdicto, etiam conceptum utero, dum adhuc sanguis in hominem delibatur, dissolvere non licet. Homicidii festinatio est, prohibere nasci: nec refert natam quis eripiat animam, an nascentem disturbet: homo est, et qui est futurus, et fructus omnis jam in semine est.

[18] Minuc. p. 91. Sunt quæ in ipsis visceribus medicaminibus epotis originem futuri nominis (leg. hominis) extinguant, et parricidium faciant, antequam pariant. Vid. Cypr. Ep. 49. al. 52. ad Cornel. p. 97. de Parricidio Novati.

[19] Athenag. Legat. p. 38.

[20] Hieron. Ep. 22. ad Eustoch. de Virginit. cap. 5. Aliæ præbibunt sterilitatem, et necdum sati homicidium faciunt.

[21] Digest. lib. 48. Tit. 8. ad Legem Corneliam de Sicariis, Leg. 8. Si mulierem visceribus suis vim intulisse, quo partum abigeret, constiterit: eam in exilium præses provinciæ exiget. It. lib. 47. Tit. 11. de Extraordinar. Criminibus, Leg. 4.

[22] Ibid. Tit. 19. Leg. 39. Cicero in oratione pro Cluentio scripsit, mulierem quod ab heredibus secundis accepta pecunia partum sibi medicamentis ipsa abegisset, rei capitalis esse damnatam.

[23] Cod. Theod. lib. 9. Tit. 15. de Parricidio, Leg. 1. Si quis in parentis, aut filii, aut omnino affectionis ejus, quæ nuncupatione parricidii continetur, fata properaverit, sive clam sive palam id fuerit enisus, neque gladio, neque ignibus, neque ulla alia pœna solemni subjugetur, sed insutus culleo, et inter ejus ferales angustias comprehensus, serpentum contuberniis misceatur: et ut regionis qualitas tulerit, vel in vicinum mare, vel in amnem projiciatur: ut omni elementorum usu vivus carere incipiat; ut ei cœlum superstiti, terra mortuo auferatur. Vid. Gothofred. in loc.

or publicly, he shall not be punished with the sword, or with fire, or with any other common death, but be sowed up in a sack with serpents and other beasts, and be cast into the sea or a river, as the nature of the place will admit: that he may be deprived of the use of all the elements as long as he remains in being; that he may have neither air to breath in whilst he lives, nor earth to receive him when he is dead." This was the punishment of such as slew father or mother, or son or daughter, or any such relation in the direct line: but if it was any other relation, then only the common death of murderers was inflicted on them, as we learn from Justinian's Institutes[21] and his Code, where this matter is determined. Now, the church having no power of the sword, could make no such distinction; but punished both sorts in the same way, with the spiritual censure of excommunication.

Sect. 6. Of self-murder.

And so she treated all those who laid violent hands upon themselves, who were known by the common name of *biathanati*, or self-murderers. Because this was a crime that could have no penance imposed upon it, she showed her just resentment of the fact, by denying the criminals the honour and solemnity of a Christian burial, and letting them lie excommunicate and deprived of all memorial in her prayers after death. If any one, says the first council of Braga,[25] bring himself to a violent end, either by sword, or poison, or a precipice, or a halter, or any other way, no commemoration shall be made of him in the oblation, nor shall his body be carried to the grave with the usual psalmody. And they who suffer death for their crimes, shall be treated after the same manner. The reason of treating both these sorts of men in this manner, was because they were accessory to their own deaths; either directly, by offering violence to their own lives; or indirectly, by committing such capital crimes as brought them in the course of justice to an untimely end. Both the Greeks and Latins style them *biothanati*, or *biathanati*, from offering violence to themselves, or coming to a violent death. And Cassian particularly notes the discipline of the church,[26] then used toward such after death, speaking of the case of one Hero, an Egyptian monk, whom Satan, under the disguise of a good angel, had tempted to throw himself into a deep well, upon presumption that no harm could befall him for the great merit of his labours and virtues: for which fact, he says, Pafuntius the abbot could hardly be prevailed upon not to reckon him among the *biothanati*, or self-murderers, and deny him the privilege of being mentioned in the oblation for those that were at rest in the Lord. Which is sufficient to show us the manner of treating such in the ancient discipline of the church.

Sect. 7. Of dismembering the body.

It was also reckoned a species or lower degree of this crime, for any one to disfigure his own body, by cutting off any member or part thereof, without just reason to engage him so to do. The canons forbade any such to be ordained, as men who were in effect self-murderers[27] and enemies of the workmanship of God, as has been showed at large[28] in another place. What is further to be noted here is, that this discipline extended to laymen as well as clergymen. For one of the Apostolical Canons[29] orders, That a layman who dismembers himself shall be debarred the communion for three years, because he insidiously makes an attempt upon his own life. But if men were either born with a natural defect, or the barbarity of the persecutors, or the necessity of a disease, deprived them of any member, in order to effect the cure of the body, and save the whole; in all these cases there was no crime, because the thing was involuntary; in which cases the law itself made an exception, and freed men from incurring the censures of the church, as may be seen in the Nicene canons,[30] which particularly mention these as excepted cases. I only observe one thing further out of the laws of Constantine, that he had so great a regard to the face, as the image of the Divine majesty in all human bodies whatsoever, that he would not suffer any mark of infamy to be set upon it, to stigmatize the greatest criminals. For whereas by the old Roman laws notorious criminals might be branded in the forehead, to make their offences more infamous and public; Constantine, by one of his first laws, cancelled and revoked this custom,[31] ordering, That whatever criminal was condemned either to fight with wild beasts, or

[21] Justin. Institut. lib. 4. Tit. 18. De Publicis Judiciis. Si quis autem alias cognatione vel adfinitate personas conjunctas necaverit, pœnam legis Corneliæ de sicariis sustinebit. Vid. Cod. Justin. lib. 9. Tit. 17. De his qui Parentes vel Liberos occiderunt, Leg. 1.

[25] Conc. Bracar. 1. can. 34. Placuit, ut hi qui aut per ferrum, aut per venenum, aut per præcipitium, aut suspendium, aut quolibet modo violentam sibi ipsis inferunt mortem, nulla pro illis in oblatione commemoratio fiat, neque cum psalmis ad sepulturam eorum corpora deducantur.——Similiter et de his placuit fieri, qui pro suis sceleribus puniuntur.

[26] Cassian. Collat. 2. cap. 5. Vix a presbytero abbate Pafuntio potuit obtineri, ut non inter biothanatos reputatus, etiam memoria et oblatione pausantium judicaretur indignus.

[27] Vid. Canon. Apost. c. 21. Conc. Nic. can. 1.

[28] Book IV. chap. 3. sect. 9.

[29] Canon. Apost. 23. al. 24. Λαϊκὸς ἑαυτὸν ἀκρωτηριάσας, ἀφοριζέσθω ἔτη τρία· ἐπίβουλος γάρ ἐστιν τῆς ἑαυτοῦ ζωῆς.

[30] Conc. Nicen. can. 1.

[31] Cod. Theod. lib. 9. Tit. 40. De Pœnis, Leg. 2. Si quis in ludum fuerit, vel in metallum, pro criminum deprehensorum qualitate, damnatus, minime in ejus facie scribatur: dum et in manibus et in suris possit pœna damnationis una subscriptione comprehendi: quo facies, quæ ad similitudinem pulchritudinis cœlestis est figurata, minime maculetur.

to dig in the mines, he should not be stigmatized in the face, but only in the hands or legs; that the face, which was formed after the image of the Divine majesty and beauty, might not be disfigured. Which certainly was intended piously by Constantine, as a just caution to restrain men from offering violence to their own bodies, which were created after the image and similitude of God in some measure, though that likeness was more visibly seen in the original perfections of the soul.

Sect. 8. Of involuntary murder by chance, or manslaughter.

All these cases respect such actions as have some tendency toward voluntary murder. Besides which the church allotted sometimes a proportionable punishment to accidental and involuntary murder, though the civil law took little or no notice of it. For by the old Roman and Christian laws, a master was allowed to punish and correct his slave with great severity; and if in that correction the slave chanced to die, no action of murder could be brought[32] against the master, unless it appeared that he used some weapon or fraud in his punishment, that tended directly to kill him. But notwithstanding this, the ecclesiastical law, having a more tender regard even to the life of slaves, took cognizance of such cruelties, and obliged the actors to a certain term of penance, though the murder was only casual, and not directly intended. To this purpose it is decreed in the council of Eliberis,[33] That if any mistress in the heat of her anger so scourge her slave, that the slave die within three days; whereas it might be uncertain whether it was a voluntary, or a chance murder; if it was a voluntary murder, she was to do penance seven years; if casual, only five years: and all the favour that was allowed in this case was, that if sickness seized her, she might be admitted to communion sooner. We find a like decree in the discipline of the French church, made by the council of Epone, anno 517, That if any one put his slave to death[34] without a legal trial before the judge, he should expiate his murder by excommunication for two years. And it is remarked of Cæsarius Arelatensis by the author[35] of his Life, that he was used to protest to the prefects of the church, who had then power to inflict corporal punishment, That if they scourged any one to an immoderate degree, so as that he died under his stripes, they should be held guilty of murder. Nay, so tender was the church in this point of shedding man's blood, that she would not ordinarily allow any soldier to be ordained to any sacred office of presbyter or deacon; nor suffer her bishops to sit as judges in capital causes, where they might be concerned to give sentence in cases of blood; as I have had occasion to show more at large in their proper places,[36] to which I refer the reader. Among the Apostolical Canons there is one that orders, That if any clergyman[37] in a brawl or scuffle smite another, so as to kill him, though it were by the first blow, he shall be deposed; if a layman, he shall be cast out of communion. And St. Basil's canons[38] impose eleven years' penance upon all voluntary murderers whatsoever.

Sect. 9. False witness against any man's life reputed murder.

Neither was it only actual murder which they thus censured, but all actions that had any direct or immediate tendency towards it; as, bearing false witness against a man's life. For, as Lactantius[39] well expresses it, there is no difference between killing a man with the sword, or with the tongue; it is murder still in either species, and a violation of God's law against invading the life of man, which admits of no exception. And therefore the civil[40] law appointed the punishment of retaliation to be inflicted on every false accuser, That if any one called another man's credit, or fortune, or life, or blood, into question in judgment, and could not make out the crime alleged against him, he should suffer the same penalty that he intended to bring upon the other. And no one could formally implead another at law, till he had bound himself to this condition, which the law[41] terms *vinculum inscriptionis*, the bond of inscription. Now, though the ecclesiastical law could not inflict the punishment of retaliation for false witness against any man's life, yet all false testimony being a crime punishable with excommunication, (as we shall see more fully under the punishment of sins against the ninth commandment,) we may be sure, such false testimony as tended directly to deprive men of

[32] Vid. Cod. Theod. lib. 9. Tit. 12. De Emendatione Servorum, Leg. 1 et 2. Constantini.

[33] Conc. Eliber. can. 5. Si qua domina furore zeli accensa, flagris verberaverit ancillam suam, ita ut intra tertium diem animam cum cruciatu effundat; eo quod incertum sit, voluntate, an casu occiderit; si voluntate, post septem annos; si casu, post quinquennii tempora, acta legitima pœnitentia, ad communionem placuit admitti, &c.

[34] Conc. Epaunen. can. 34. Si quis servum proprium sine conscientia judicis occiderit, excommunicatione biennii effusionem sanguinis expiabit.

[35] Cypr. Vit. Cæsar. Arelat. Contestabatur ecclesiæ præfectos, si quis juberet quempiam diutius flagellari, et illa verbera illi mortem afferrent, ut is homicidii reum se sciret.

[36] Book IV. chap. 4. sect. 1. Book II. chap. 7. sect. 4.

[37] Canon. Apost. 66. [38] Basil. can. 57.

[39] Lact. lib. 6. cap. 20. Nihil distat, utrum ferro, an verbo potius occidas, quoniam occisio ipsa prohibetur, &c.

[40] Cod. Theod. lib. 9. Tit. 1. De Accusationibus, Leg. 11. Qui alterius famam, fortunas, caput denique et sanguinem in judicium devocaverit, sciat sibi impendere congruam pœnam, si quod intenderit non probaverit. It. Leg. 19. ibid. Nec impunitam fore noverit licentiam mentiendi, cum calumniantes ad vindictam poscat similitudo supplicii.

[41] Ibid. Leg. 14. Non prius cujuscunque caput accusatione pulset, quam vinculo legis adstrictus, pari cœperit pœnæ conditione jurgare, &c. Et Leg. 19. Vinculum inscriptionis accipiat, &c. Vid. Leonis, Novel. 77.

their lives, must be reputed by the church among the highest species both of calumny and murder; and consequently bring them under all the penalties that were due to those crimes in any degree whatsoever. *Vid. Conc. Eliber. can.* 74.

Sect. 10. Informers against the brethren in time of persecution treated as murderers.

Yea, a bare information, or discovery of the names of the brethren to the heathen magistrates, forasmuch as that in times of difficulty and persecution might endanger their lives, was justly reputed and censured as murder likewise. The first council of Arles[42] orders, That if any such informers were found among the clergy, and convicted from the public acts, that they had betrayed either the Holy Scriptures, or the sacred utensils, or the names of their brethren, to the heathen, they should be degraded from their orders. And the council of Eliberis goes[43] a little further, and determines, That if any Christian informed against his brethren, so as that any one was proscribed or slain upon his information, he should not be received into communion at the last, or not till his last hour, as different copies read it.

Sect. 11. Exposing of infants reputed murder.

Another sort of interpretative murder was, the exposing of infants, against which the ancients commonly declaim with great vehemency in the practice of the heathen. You accuse us, says Tertullian, of murdering infants; but let me turn to your people, and appeal to their consciences, and then how many may I find among those that stand about us, and thirst after Christian blood; nay, among those just and severe judges that condemn us, who kill their children as soon as they are born, or else expose[44] them to cold, and famine, and dogs? You expose your children to the mercy of strangers, and the next comers that will take pity on them, and adopt them more kindly for their own children. The same charge is brought against them by Minucius Felix,[45] that they exposed their children, as soon as they were born, to wild beasts and birds of prey. Athenagoras says[46] expressly, All such are parricides or murderers of their children. And Lactantius[47] a little more largely inveighs against them upon the same foundation. They pretended, he says, by a sort of false piety, to expose them only to keep them from starving, because they were poor and not able to maintain them. But they cannot be deemed innocent who cast their own bowels as a prey to dogs, and, as much as in them lies, kill them more cruelly than if they strangled them. Who can question the impiety of him, who leaves no room for others to show mercy? But admit that he attains his end which he pretends, that his child is thereby nourished and brought up, yet, doubtless, he condemns his own blood either to slavery or the stews; of which there were many examples in both sexes. Therefore he concludes, that for men to expose their children, was the same base and villanous action as to kill them. And whereas men were apt to complain of their poverty, and pretend they were not able to bring up many children; he not only answers this from considerations of Providence, in whose power the fortunes and possessions of all men are, to make rich men poor, and poor men rich; but is also thought by his prudent advice to have induced Constantine to enact those two excellent and charitable laws, still extant in the Theodosian[48] Code, whereby it is provided by his great munificence in several parts of the empire, that poor parents who had numerous families, which they could not maintain, should have relief out of the public revenues of the empire; that they might be under no temptation either to expose, or kill, or sell, or oppignorate and enslave their children; of which there had been so great complaints under the former reigns of heathenism. Constantine[49] and Honorius added two other laws to these, in favour of such as took care of exposed children, that parents should have no right to claim them again, nor accuse those of theft or plagiary, who showed mercy on those whom they exposed to death, and by their neglect suffered to perish; provided only that the collectors of such children made evidence before the bishop, that they were really exposed and deserted. And in this case, the ecclesiastical laws concurred with the secular, adding the penalty of excommunication to be inflicted on all parents, who thus proved themselves guilty of murdering their children. For so the canons expressly word it. The council of Vaison first prescribes the method of ascertaining such children to the right and possession of those who became their foster-fathers, according to the tenor of the imperial laws; and then pronounces those who exposed them guilty of murder by their own confession. "A clamour,"[50]

[42] Conc. Arelat. 1. can. 13. De his qui Scripturas Sanctas tradidisse dicuntur, vel vasa Dominica, vel nomina fratrum suorum, placuit nobis, ut quicunque eorum in actis publicis fuerit detectus, non verbis nudis, ab ordine cleri amoveatur.

[43] Conc. Eliber. can. 73. Delator si quis extiterit fidelis, et per delationem ejus aliquis fuerit proscriptus vel interfectus, placuit eum nec in fine (al. non nisi in fine) accipere communionem. It. can. 74. Falsus testis, prout crimen est, abstinebit: si tamen non fuerit mortis quod objecit, &c.

[44] Tertul. Apol. cap. 9. Aut frigori, aut fami, aut canibus exponitis, &c. Vid. Tertul. ad Nationes, lib. 1. cap. 16.

[45] Minuc. p. 90. [46] Athen. Legat. pro Christian. p. 38.

[47] Lact. lib. 6. cap. 20.

[48] Cod. Th. lib. 11. Tit. 27. de Alimentis, &c. Leg. 1 et 2.

[49] Cod. Theod. lib. 5. Tit. 7. de Expositis, Leg. 1 et 2.

[50] Conc. Vasionen. 1. can. 9. De expositis (quia conclamatur ab omnibus) querela processit, eos non misericordiæ jam, sed canibus exponi, quos colligere calumniatorum metu, quamvis præceptis misericordiæ inflexa mens humana detrectet: id servandum visum est, ut secundum statuta fidelissimorum piissimorumque augustorum et principum, quisquis expositum colligit, ecclesiam contestetur, &c.

says the council, "is made on all sides, and complaint brought before us, concerning exposed children, that they are now no longer exposed to the mercy of Christians, but to be devoured by dogs, because every one refuses to take them up, for fear of prosecution from false accusers: we therefore decree, that, according to the laws of pious emperors and princes, whoever takes up an exposed child, shall make testimony thereof unto the church, and the minister on the Lord's day shall publish it at the altar, that if any one owns it within ten days, he may receive it again; giving a recompence to the finder for his charitable care for that term, or letting him keep it for ever as his own possession." But the next canon[51] adds, "That if any one, after this legal form of proceeding has been observed in the case, pretend to claim the exposed infant, or accuse the finder as a plagiary or man-stealer, he himself shall be punished as a murderer by the censures of the church." All which manifestly proves, that, in the account of conscience and the ancient discipline, the parent who deserts his infant, and leaves it defenceless to the injuries of fortune, or want, or the weather, or wild beasts, is a real murderer, as doing that in consequence of which murder necessarily ensues, unless some favourable providence interposes to prevent it.

Sect. 12. If a virgin defloured kills herself for grief, the corrupter is reputed guilty of the murder.

For the same reason, some canons appointed all accessaries to murder to do the same penance as the murderers themselves. The council of Ancyra puts a special case of this nature: A man that is espoused to a woman, deflours her sister, and afterward marries the other: she that is so defiled, hangs herself for grief: the man, as accessory to the murder,[52] is ordered to do ten years' penance for his crime, before he is allowed to appear among the co-standers at the communion.

Sect. 13. The *lanistæ*, or fencing-masters, reputed accessaries to murder, and their calling condemned.

The case of the *lanistæ*, or masters of fencing, was much of the same nature. Their art in preparing gladiators for the theatre was always reputed a scandalous trade; being, in effect, no better than teaching men to murder and butcher one another. And therefore the church would never allow it as a lawful profession. Tertullian[53] says expressly, That the prohibition of murder showed that there was no place for fencers in the church; for they were impleaded guilty of shedding that blood, which they taught others to shed. The author of the Constitutions puts gladiators in the number of those who were to be rejected from[54] baptism. And Constantine prohibited the art itself as unchristian,[55] ordering such criminals as were used to be condemned to fight for their lives upon the stage, rather to be sent to the mines, that they might suffer punishment without blood. For though, in the beginning of his reign, he allowed it to be used as a punishment for some crimes; (as in the case of plagiary, or man-stealing, which they that were guilty of were condemned[56] to fight for their lives with wild beasts, or one another;) yet afterwards he seems to have revoked this also. And Valentinian absolutely forbade any Christian, or any Palatine soldier, to be condemned[57] to this punishment. Nay, some of the wiser heathens always abhorred and declared against it. And therefore there was more reason to prohibit the whole art and practice of gladiators under the Christian institution, which Honorius the emperor[58] quite abolished and destroyed.

Sect. 14. Spectators of the murders committed on the stage accounted accessaries to murder also.

But the Christian laws and rules of the church went a little further. They not only condemned the murders of the stage, but forbade any one to be a spectator of them, under the penalty of being reputed accessory to the murder. Cyprian, describing the impiety and barbarity of these inhuman games, elegantly styles[59] all spectators of them, *oculis parricidas*, men guilty of murder with their eyes: intimating, that no one could entertain himself with the pleasing sight of them without partaking in the guilt, and defiling his soul with the contagion of the murders committed in them. There is little difference,[60] says Athenagoras, between seeing such murders and committing them; and therefore we wholly abstain from the sight of them, lest any of their wickedness and defilement should cleave to us. Lactantius, in his elegant and fluent way, declaims more copiously and vehemently against them. He that accounts it a pleasure, says he,[61] to see a man killed before his eyes, though it be a criminal condemned for his villanies, pollutes his conscience, as much as if he were both a spectator and partaker

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[51] Conc. Vasionen. 1. can. 10. Si quis expositorum hoc ordine collectorum repetitor vel calumniator extiterit, ut homicida habendus est, et ecclesiastica districtione damnabitur. Vid. Conc. Arelat. 2. can. 32, where the same things are repeated.

[52] Conc. Ancyr. can. 26.

[53] Tertul. de Idol. cap. 11. Sic et homicidii interdictio ostendit mihi lanistam quoque ab ecclesia arceri nec per se non faciet, quod faciendum aliis subministrat.

[54] Constit. lib. 8. cap. 32.

[55] Cod. Theod. lib. 15. Tit. 12. de Gladiatoribus, Leg. 1. Cruenta spectacula in otio civili et domestica quiete non placent, &c.

[56] Ibid. lib. 9. Tit. 18. ad Legem Fabiam de Plagariis, Leg. 1.

[57] Ibid. lib. 9. Tit. 40. de Pœnis, Leg. 8 et 11.

[58] Vide Pagi, Crit. in Baron. t. 2. an. 404. n. 5. ex Prudentio contra Symmach. lib. 2.

[59] Cypr. ad Donat. p. 5.

[60] Athen. Legat. pro Christian. p. 38.

[61] Lact. lib. 6. cap. 20. Qui hominem, quamvis ob merita damnatum, in conspectu suo pro voluptate jugulari computat, conscientiam suam polluit, tam scilicet quam si homicidii, quod fit occulte, spectator et particeps fiat &c.

of any secret murder. And yet they call these things only games and diversions, wherein human blood is shed. So far are men forsaken of humanity, that they count it but sport to destroy men's lives or souls, being really more wicked and injurious than those very criminals, whose blood they make their diversion. Upon this account, in the eye of the church, to frequent these inhuman games was the same thing as to commit murder, and no man could associate with such company, and follow such diversions, but he was reputed to bid adieu to all humanity, piety, and justice, and to make himself partaker in all the guilt of those public murders.

Sect. 15. Famishers of the poor and indigent reputed guilty of murder.

The charge of murder was also brought against those who denied the poor their necessary maintenance, and defrauded their indigent parents of their proper livelihood, suffering them to perish by famine or want, against the laws of piety and natural affection. The fourth council of Carthage[62] upon this account terms those, who defrauded the church of the oblations of the dead, *egentium necatores*, murderers of the poor, and, as such, orders them to be prosecuted to excommunication. And Cyprian, speaking of the villanies of Novatus, says, among other instances of his being guilty of parricide and murder, (such as causing his wife to miscarry, by a kick on the belly, when she was great with child,) he suffered his own father to starve,[63] and perish by famine, and left him unburied after death. For which crimes he had certainly been expelled not only from the presbytery, but from all communion with the church, had not the difficult times of approaching persecution prevented the day of his trial, and given him opportunity to escape the condemnation that was due to him by the just discipline and censures of the church. All these were reckoned guilty of murder, indirectly at least, as accessaries, and partakers in the sin, though their hands were not actually and directly engaged in shedding of blood.

Sect. 16. And all those by whose authority murder was committed.

But none were reputed more guilty of murder than they by whose authority it was committed. Though the inferior instruments were not acquitted, yet the crime was chiefly laid to the charge of the principal authors. Therefore, as David was charged by Nathan with the murder of Uriah, though he was slain through the treachery of Joab by the sword of the children of Ammon; so Theodosius, when, by his orders and authority, seven thousand men were slaughtered at Thessalonica, was charged by St. Ambrose as the principal author of the murder, and, according to the rules of discipline, denied the communion of the church, till he had made a suitable and reasonable satisfaction. For though, as Cyprian complains[64] to his friend Donatus, under the heathen emperors, public murder was esteemed a virtue, which in private men was punished as a great crime; yet it was not so under the Christian institution, but there was a power to bring even emperors and princes under discipline for such public offences, as appears from the case of Theodosius now mentioned. And the case of the *munerarii*, that is, such Christian magistrates as exhibited the *munera*, or inhuman games, where men murdered one another upon the stage, is a further evidence of this power and practice. For the canons of the church[65] order all such magistrates to be excommunicated, as contributing by their authority and expenses both to idolatry and murder. So that murder, in whatever species it appeared, or by whatever persons it was committed, was always reputed a crime of the first magnitude, exposing men to the utmost severity of ecclesiastical censure.

Sect. 17. Enmity, and strife, and contention, punished as lower degrees of murder.

And it must be added, that all open enmity and quarrelling, strife, envy, anger and contention, professed malice and hatred, were punished with excommunication, as tendencies toward this great sin, and lower degrees of murder. St. John says, "He that hateth his brother is a murderer, and no murderer hath eternal life abiding in him." Our Saviour also declares, "That he that is angry with his brother without a cause, shall be in danger of the judgment; and whosoever shall say to his brother, Raca, shall be in danger of the council; but whosoever shall say, Thou fool, shall be in danger of hell-fire." Now, agreeably to these instructions, the church, to prevent or correct all tendencies toward the great sin of murder, laid proper restraints and penalties upon the unruly passions of men, whenever they discovered themselves in any visible acts of malice or hatred, and strife and contention. The communion was the great symbol of love and charity, and the covenant of peace and unity, and the great uniter of men's hearts and affections. Therefore all who visibly wanted these necessary qualifications, were thought unworthy of that venerable mystery, and accordingly obliged, by the discipline of the church, (till they were so qualified,) to abstain from it. The fourth council of Carthage[66] made an order, That the oblations of such as were at enmity or open variance with their brethren, should neither be received into the treasury of the church, nor at the altar: which was as much as to say, they should not communicate whilst they were in that condition. And the second council of

[62] Conc. Carth. 4. can. 95.

[63] Cypr. Ep. 49. al. 52. ad Cornel. p. 97.

[64] Cypr. ad Donat. p. 5. Homicidium cum admittunt singuli crimen est; virtus vocatur cum publice geritur.

[65] See chap. 4. sect. 8.

[66] Conc. Carth. 4. can. 93. Oblationes dissidentium fratrum, neque in sacrario, neque in gazophylacio recipiantur.

Arles,[67] removes those from the privilege of joining with the assemblies of the church, who break forth into public hatreds and animosities one against another, until they are reconciled, and return to peace again. They that evil intreat their servants or slaves with stripes, famine, or hard bondage, are ordered to be refused communion by the rules[68] of the Constitutions. And Chrysostom often warns[69] the clergy, that they should admit no cruel or unmerciful man to the communion. For if they gave the eucharist wittingly to any such flagitious man, his blood would be required at their hands. Though it be a general, though it be a consul, though it be him that wears the crown, restrain him if he comes unworthily; thou hast greater power than he. But this was to be understood of great and enormous violations of charity, expressing themselves in open and professed acts of cruelty; not of every lower degree of anger, especially rash and sudden anger, which, as I showed before,[70] was to be cured by other methods, and not by the highest remedies of severity in the exercise of ecclesiastical censure. These were the rules of discipline whereby the church proceeded in censuring and punishing the great sin of murder, with all its species and appendages, so far as it was either possible or proper to take notice of them; reserving the rest for the gentler methods of admonition and verbal correction, which, in ordinary cases and lighter transgressions of this kind, was sufficient for the amendment of the sinner.

CHAPTER XI.

OF GREAT TRANSGRESSIONS AGAINST THE SEVENTH COMMANDMENT; FORNICATION, ADULTERY, INCEST, ETC.

Sect. 1. The punishment of fornication.

Another sort of great crimes, which always made men liable to the severities of ecclesiastical discipline, were the sins of uncleanness, or transgressions of the seventh commandment; such as fornication, adultery, ravishment, incest, polygamy, and all sorts of unnatural defilement with beasts or mankind, and all things leading or paving the way to such impurities, as rioting and intemperance, writing or reading lascivious books, acting or frequenting obscene stage-plays, allowing or maintaining harlots, or whatever of the like kind may be called making provision for the flesh to fulfil the lusts thereof. To begin with simple fornication: the heathen laws were so far from laying any effectual restraints, that they not only allowed it with impunity, but many times encouraged it in the very sacred rites and mysteries of their gods, as the ancient apologists often object it against their religion; whereas the Christian religion laid great and severe penalties upon all such as, under the name of Christians, were found guilty of it. The Apostolical Canons,[1] and those of Neocæsarea,[2] forbid such ever to be received into holy orders, or to be suspended, if unwittingly ordained. The council of Eliberis[3] suspends virgins, who keep not their virginity, a whole year from the communion; obliging them to marry those that defiled them; otherwise they are to undergo five years' solemn repentance, because if they are corrupted by others they become guilty of adultery, which, as we shall presently see, had a more severe punishment than simple fornication.

Sect. 2. Of adultery.

For whereas St. Basil's canons appoint seven years' penance for fornication only, they prescribe fifteen for adultery,[4] and sometimes double[5] the number. The council of Ancyra[6] imposes seven years for adultery, but makes no express mention of fornication. The council of Eliberis appoints five years' penance for a single act[7] of adultery; and ten years,[8] if repeated: but if any continued in it all their lives, they were not to have the communion at their last hour. And in some of the African churches before the time of St. Cyprian, this was the common punishment for all adultery. For he says,[9] some of his predecessors refused the peace of the church to all adulterers, and shut the door of repentance wholly against

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[67] Conc. Arelat. 2. can. 31. Hi qui publicis inter se odiis exardescunt, ab ecclesiasticis conventibus sunt removendi, donec ad pacem recurrant.

[68] Constit. lib. 4. cap. 6.

[69] Chrys. Hom. 83. in Mat. p. 705. [70] Chap. 3. sect. 14.

[1] Canon. Apost. 53. al. 61.

[2] Conc. Neocæsar. can. 9.

[3] Conc. Eliber. can. 14. Virgines quæ virginitatem suam non custodierint, si eosdem, qui eas violaverunt, duxerint et tenuerint maritos, eo quod solas nuptias violaverint, (nempe non Deo dedicatæ, ut can. 13.) post annum sine pœnitentia reconciliari debebunt. Vel si alios cognoverint viros, eo quod mœchatæ sint, placuit, per quinquennii tempora, acta legitima pœnitentia, admitti eas ad communionem.

[4] Basil. can. 58 et 59. [5] Ibid. can. 7.

[6] Conc. Ancyr. can. 20.

[7] Conc. Eliber. can. 69. Si quis forte habens uxorem, semel fuerit lapsus, placuit eum quinquennium agere de ea re pœnitentiam.

[8] Ibid. can. 64. Si qua mulier usque in finem mortis suæ cum alieno fuerit viro mœchata, placuit nec in fine dandam ei esse communionem. Si vero eum reliquerit, post decem annos recipi ad communionem, acta legitima pœnitentia.

[9] Cypr. Ep. 55. al. 52. ad Antonian. p. 109. Mœchis a nobis pœnitentia conceditur, et pax datur.—Et quidem apud antecessores nostros quidam de episcopis in provincia nostra dandam pacem mœchis non putaverunt, et in totum pœnitentiæ locum contra adulteria clauserunt; non tamen a coepiscoporum suorum collegio recesserunt

them; though it was otherwise in his time, when adulterers had a certain term of penance appointed them, after which they might be restored to the peace of the church. Whence Bishop Pearson[10] rightly reproves Albaspinæus for asserting, That adulterers were never received into communion before the time of Cyprian. For Cyprian says expressly, They were received to repentance in most churches, though rejected by some. And it appears plainly from Tertullian, who lived before Cyprian, and wrote his book De Pudicitia, as a Montanist, against the catholics, for receiving adulterers to their communion. Yet in the case of the clergy, the law continued still a little more severe. For by a rule of the council of Eliberis,[11] If a bishop, presbyter, or deacon was convicted of adultery, he was to be denied communion to the very last, as well for the greatness of the crime, as for the scandal he gave to the church thereby. And by another canon of the same council,[12] Every clergyman who knew his wife to be guilty of committing adultery, and did not presently put her away, was also to be denied communion to the very last; that they who ought to be examples of good conversation, might not by their practice seem to show others the way to sin. And the council of Neocæsarea[13] has a decree of near affinity to this, That if a layman's wife be convicted of adultery, it shall render him incapable of orders: or if after his ordination she commits adultery, he must dismiss her; under pain of degradation from his ministerial office, if he retains her. The civil law, both under the heathen and Christian emperors, made this crime capital, as Gothofred[14] shows by various instances both out of the Code and Pandects. And Constans, the son of Constantine, in particular, appointed its punishment to be the same as that of parricide, which was burning alive, or drowning in a sack, with a serpent, an ape, a cock, and a dog tied up with the criminals. When adultery,[15] says he, is proved by manifest evidence, no dilatory appeal shall be allowed: but the judge is obliged to punish those who are guilty of the sacrilegious violation of marriage, as manifest parricides, either by drowning them in a *culleus*, or sack, or burning them alive. And this was one of those crimes to which the emperors at Easter would grant no indulgence,[16] nor allow any appeal to be made from the judge to themselves in favour of the criminals, as appears not only from this law of Constans, but several others.[17] It may not be amiss also to observe out of one of the laws[18] of Theodosius, That for a Christian, man or woman, to marry a Jew, was reputed the same thing as committing adultery, and made the offending party liable to the same punishment; because it was at least a spiritual adultery, and a sacrilegious prostitution of the members of Christ to the insolence and power of his greatest enemies. And indeed there is nothing that the ancients more generally[19] condemn than this of Christians joining in marriage with Jews, or heathens, or heretics, or any persons of a different religion; not because it was strictly and properly adultery, but because it was against the rule of the apostle, (which orders women "to marry only in the Lord,") and therefore dangerous to the faith, by running themselves into temptation of changing their religion, either by perverting and corrupting the faith, or wholly deserting and apostatizing from it.

Sect. 3. Of incest.

Another sort of uncleanness was committed by incestuous marriages, that is, when persons of near alliance, either by consanguinity or affinity, made marriages one with another, within the degrees prohibited by God in Scripture: as if a man married his father's wife, or his wife's daughter, or his brother's wife, or his wife's sister; which are cases in affinity, particularly mentioned in the council of Auxerre[20] as prohibited cases. St. Basil says,[21] Incest with a sister was to be punished with the same penance as murder; and all incestuous conjunction, as adultery.[22] He that committed incest with a half-sister,[23] was to do eleven years' penance; and he who committed incest with his son's wife,[24] was to do the same.

[10] Pearson. Vindic. Ignat. lib. 2. cap. 8. p. 378.

[11] Conc. Eliber. can. 18. Episcopi, presbyteri, diacones, si in ministerio positi detecti fuerint, quod sint mœchati, placuit et propter scandalum, et propter nefandum crimen, nec in fine eos communionem accipere debere.

[12] Ibid. can. 65. Si cujus clerici uxor fuerit mœchata, et sciat eam maritus suus mœchari, et eam non statim projecerit, nec in fine accipiat communionem: ne ab his, qui exemplum bonæ conversationis esse debent, videantur magisteria scelerum procedere.

[13] Conc. Neocæsar. can. 8.

[14] Gothofr. in Cod. Theod. lib. 9. Tit. 36. Quorum Appellationes, &c. Leg. 4.

[15] Cod. Theod. ibid. Manifestis probationibus adulterio probato frustratoria provocatio minime admittatur: cum pari similique ratione sacrilegos nuptiarum, tanquam manifestos parricidas, insuere culleo vivos, vel exurere, judicantem oporteat.

[16] Cod. Theod. lib. 9. Tit. 38. De Indulgentiis Criminum, Leg. 3, 4, 6, 7, 8.

[17] Ibid. Tit. 36. Quorum Appellationes non recipiantur, Leg. 1, 4, 7.

[18] Ibid. Tit. 9. ad Legem Juliam de Adulteriis, Leg. 5. Ne quis Christianam mulierem in matrimonium Judæus accipiat, neque Judææ Christianus conjugium sortiatur. Nam si quis aliquid hujusmodi admiserit, adulterii vicem commissi hujus crimen obtinebit.

[19] Ambros. de Abrahamo, lib. 1. cap. 9. Cave, Christiane, Gentili aut Judæo filiam tuam tradere: cave, inquam, Gentilem aut Judæam, atque alienigenam, hoc est, hæreticam, et omnem alienam a fide tua uxorem accersas tibi. Vid. Aug. Ep. 234. ad Rusticum. Conc. Eliberit. can. 16. Conc. Laodic. can. 10 et 31.

[20] Conc. Antissiodor. can. 27, 28, 29, 30.

[21] Basil. can. 67.

[22] Ibid. can. 68.

[23] Ibid. can. 75.

[24] Ibid. can. 76.

He who successively married two sisters[25] was to do the penance of an adulterer, which was fifteen years. And about all cases of this nature, the ancients were perfectly agreed. Herein especially the Christian morals exceeded the heathen. Among the Persians, it was allowed by law for the father to marry his own daughter, or a son his own mother or sister, as is observed by Origen.[26] Minucius says[27] the same of the Egyptians and Athenians; and Theodosius, speaking particularly of the Persians in his own time,[28] says, It was then a mark of honour and religion for their princes to marry their own mothers, or sisters, or daughters. And Gothofred[29] gives many instances among the Romans of men marrying their sisters' daughters, and their brothers' daughters, the latter of which was never forbidden by any of their laws, though the former had sometimes a restraint laid upon it. But Constantius[30] made it a capital crime for any one to marry his brother's or sister's daughter, which was abominable. He equally condemned the marrying of two sisters,[31] or a brother's wife, (though the Jewish law allowed the latter in a certain case,) under the penalty of having their children illegitimate, and accounted spurious. And Theodosius junior[32] thought it proper to repeat the same law, though Honorius himself had made a stretch upon it, by marrying two sisters, the daughters of Stilicho, successively the one after the other. The ecclesiastical law dissolved all such marriages as incestuous, and obliged the parties to do penance for their lewdness. The council of Eliberis requires five years' penance,[33] unless some intervening danger of death require the time to be shortened. The council of Neocæsarea[34] orders the woman that is married to two brothers, to remain excommunicate to the day of her death, and then only to be reconciled by receiving the sacrament in extremity, upon condition that, if she recovers, she shall dissolve the marriage, and submit to a course of solemn repentance. St. Basil argues at large[35] for the nullity and dissolution of all such marriages, in an epistle to Diodorus Tarsensis, under whose name there went a feigned treatise in defence of them. And among the Apostolical Canons[36] there is one that orders, That whoever marries two sisters, or his brother's daughter, shall never be admitted among the clergy.

Sect. 4. Whether the marriage of cousin-germans was reckoned incest.

But they are not so clear and unanimous in the question about the marriage of cousin-germans. Till the time of St. Ambrose and Theodosius there was no law against it, but Theodosius by an express law absolutely forbade it. This law is not extant now in either of the Codes, but there is reference made to it by many ancient writers. Honorius, in one of his laws, makes mention of it,[37] confirming the prohibition, though under a different penalty. For whereas Theodosius made the penalty to be confiscation and burning, he moderated the punishment into confiscation of the parties' goods, and illegitimation of their children. And Arcadius, by another law,[38] took off confiscation also, but made all such still guilty of incestuous marriage, and rendered them intestate, and their children illegitimate, and incapable of succeeding to any inheritance, as being only a spurious offspring. Gothofred[39] has observed likewise, That there is mention made of this law of Theodosius in the writings of Libanius,[40] who speaks of it as a new law made by him, to forbid the marriage of ἀνέψιοι, that is, cousin-germans. The like is said by St. Ambrose,[41] who takes notice of the severe punishment which the emperor laid upon all those that married in contradiction to the law. And it

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[25] Basil. can. 78.

[26] Orig. cont. Cels. lib. 5. p. 248. Aug. de Civ. Dei, lib. 15. cap. 16.

[27] Minuc. Octav. p. 92. Jus est apud Persas misceri cum matribus: Ægyptiis et Athenis cum sororibus legitima connubia.

[28] Theod. Com. in Levit. xviii. 8.

[29] Gothofred. in Cod. Theod. lib. 3. Tit. 12. De Incestis Nuptiis, Leg. 1. ex Tacito, lib. 12. Annal. Sueton. Vit. Claudii, cap. 26. Vit. Domitiani, cap. 22.

[30] Cod. Theod. ibid. Si quis filiam fratris, sororisve, faciendam crediderit abominanter uxorem, aut in ejus amplexum, non ut patruus aut avunculus, convolaverit, capitalis sententiæ pœna teneatur.

[31] Cod. Theod. lib. 3. Tit. 12. de Incestis Nuptiis, Leg. 2. Etsi licitum veteres crediderunt, nuptiis fratris solutis, ducere fratrem uxoris; licitum etiam post mortem mulieris, vel divortium contrahere cum ejusdem sorore conjugium: abstineant hujusmodi nuptiis universi, nec æstiment posse legitimos liberos ex hoc consortio procreari: nam spurios esse convenit, qui nascentur.

[32] Ibid. Leg. 4.

[33] Conc. Eliber. can. 61. Si quis post obitum uxoris suæ, sororem ejus duxerit, quinquennium a communione placuit abstineri, nisi forte dari pacem velocius necessitas coegerit infirmitatis.

[34] Conc. Neocæsar. can. 2.

[35] Basil. Ep. 197. ad Diodor. Tarsens.

[36] Can. Apost. 19.

[37] Cod. Theod. lib. 3. Tit. 10. Si nuptiæ ex rescripto petantur, Leg. 1. Exceptis his, quos consobrinorum, hoc est, quarti gradus conjunctionem, lex triumphalis memoriæ patris nostri exemplo indultorum supplicare non vetavit, &c.

[38] Cod. Theod. lib. 3. Tit. 12. de Incestis Nuptiis, Leg. 3. Manente circa eos sententia, qui post factam dudum legem quoquo modo absoluti sunt aut puniti, si quis incestis posthac consobrinæ suæ, vel sororis aut fratris filiæ, uxorisve ——sese nuptiis funestarit, designato quidem lege supplicio, hoc est, ignium et proscriptionis, careat, proprias etiam quamdiu vixerit teneat facultates: sed neque uxorem neque filios ex ea editos habere credatur, ut nihil prorsus prædictis, ne per interpositam quidem personam, vel donet superstes, vel mortuus derelinquat.

[39] Gothofred. in Cod. Theod. lib. 3. Tit. 10. Leg. 1.

[40] Liban. Orat. pro Agricolis de Angariis.

[41] Ambros. Ep. 66. ad Paternum. Theodosius imperator etiam patrueles fratres et consobrinos vetuit inter se conjugii convenire nomine, et severissimam pœnam statuit si quis temerare ausus esset fratrum pia pignora, &c.

is thought that St. Ambrose was the emperor's adviser in the case, being of opinion himself that such marriages were incestuous and prohibited in Scripture. St. Austin was of a different judgment from St. Ambrose, yet he mentions the emperor's law, and advises men to refrain from such marriages;[42] because though neither the Divine law, nor any human law before that of Theodosius, had prohibited them, yet most men were scrupulous about them, and such marriages were very rarely made, because men thought they bordered very near upon unlawful; whilst the marrying a cousin-german was almost deemed the same thing as marrying a sister, and the propinquity of blood gave men a sort of natural aversion to such engagements with their near kindred. It appears from this, that there was no human law before that of Theodosius to prohibit this sort of marriages; and in St. Austin's opinion there was nothing to hinder them in the law of God. Athanasius[43] was of the same judgment; for he says expressly, That by the rule of God's commands the conjunction of cousin-germans, or brothers' and sisters' children, in matrimony, was lawful marriage. And afterward Arcadius revoked all former laws that he himself or others had made in derogation of such marriages,[44] declaring them legal, and that no action or accusation should lie against them; but that if cousin-germans married together, whether they were the children of two brothers, or two sisters, or a sister and a brother, their matrimony should be lawful, and their children legitimate. Justinian made this the standing law of the empire, not only by inserting it into his Code, but by declaring the same thing[45] in his Institutions. Where Contius[46] rightly observes, That though some copies and some ancient writers, as Theophilus and others, read it negatively, *conjungi non possunt:* yet the other is certainly the true reading, both because it is agreeable to the law of Arcadius in the Code, and because Gregory the Great so alleges it in his answer to Austin the monk[47] upon this question, saying, The civil law of the Rom .. ..npire allows the marriage of cousin-germans, but the sacred law forbids it. And this was now the known difference between the civil and ecclesiastical law. For though Zepper[48] alleges the council of Epone and the second of Tours, as allowing such marriages, yet he plainly mistakes in both. For the council of Epone[49] expressly styles them incest and adultery, ranking them with marriages contracted with a sister, or the relict of a brother, or a father's wife. And the council of Tours[50] is as plain in the matter, quoting the foresaid canon of Epone, and another of the council of Arvern or Clermont against them. Gregory II. made a like decree[51] in a council at Rome, anno 721, and in the following ages the prohibition extended to the sixth or seventh[52] generation. The short of the whole matter is this: before the time of Theodosius there was no law, ecclesiastical or civil, to prohibit the marriage of cousin-germans: under the reign of Theodosius they were forbidden, but allowed again in the next reign, and under Justinian, who fixed the allowance in the body of his laws. But still the canons continued the prohibition, and extended it to a greater degree. But as this was not the original constitution, nor the practice of the church for some ages, to bring such marriages under penitential discipline, as incestuous or simply unlawful; so I have not here laid this load upon them, but given the fair account of men's sentiments on both sides, and the different practices both of church and state in several ages; acting the part of an historian, but not inducing the reader to condemn what was once allowed by the general vote of the catholic church, however differently represented in later ages.

Sect. 5. Of polygamy, and concubinage.

The next question may be about polygamy, which denotes either having many wives at once, or many successively one after another. As to the former, Socrates[53] tells a very strange story of the emperor Valentinian, that by the advice of his wife Severa

[42] Aug. de Civ. Dei, lib. 15. cap. 16. Experti sumus in connubiis consobrinorum etiam nostris temporibus, propter gradum propinquitatis fraterno gradui proximum, quam raro per mores fiebat, quod fieri per leges licebat, quia id nec Divina prohibuit, et nondum prohibuerat lex humana: veruntamen factum etiam licitum propter vicinitatem horrebatur illiciti, et quod fiebat cum consobrina, pene cum sorore fieri videbatur, &c.

[43] Athan. Synops. Scriptur. lib. Numeror. t. 2. p. 70. Νόμιμον εἶναι γάμον τὴν πρὸς ἀνεψιὰς συζυγίαν.

[44] Cod. Justin. lib. 5. Tit. 4. de Nuptiis, Leg. 19. Celebrandis inter consobrinos matrimoniis licentia legis hujus salubritate indulta est; ut revocata prisci juris auctoritate, restinctisque calumniarum fomentis, matrimonium inter consobrinos habeatur legitimum, sive ex duobus fratribus, sive ex duabus sororibus, sive ex fratre et sorore nati sunt, &c.

[45] Justin. Instit. lib. 1. Tit. 10. Duorum fratrum vel sororum liberi, vel fratris et sororis conjungi possunt.

[46] Contius in locum

[47] Greg. lib. 12. Ep. 31. et ap. Bedam, lib. 1. cap. 27. Quædam terrena lex in Romana republica permittit, ut sive frater et soror (leg. fratris et sororis) seu duorum fratrum germanorum, vel duarum sororum filius et filia misceantur. Sed sacra lex prohibet, &c.

[48] Zepper. Legum Mosaicar. Forensium Explanat. lib. 4. cap. 19. p. 506.

[49] Conc. Epaunen. can. 30. Incestis junctionibus nihil prorsus veniæ reservamus, nisi cum adulterium separatione sanaverint;——si quis novercam duxerit, si quis consobrinæ se societ.

[50] Conc. Turon. 2. can. 22. Quisquis aut sororem, aut filiam, aut certe gradu consobrinam, aut fratris uxorem, sceleratis sibi nuptiis junxerit, huic pœnæ subjaceat, &c.

[51] Conc. Roman. can. 8. Si quis consobrinam duxerit in conjugium, anathema sit.

[52] Vid. Gratian. Caus. 35. Quæst. 5.

[53] Socrat. lib. 4. cap. 31.

he married a second wife, whilst she was living; and upon that made a law to grant liberty to all that would, to have two wives at the same time. The author of the book, called Polygamia Triumphatrix, makes a great stir with this pretended law in favour of polygamy; which in all probability is a mere fabulous story, which Socrates too hastily took up from the relation of some crafty impostor; for there is no footstep of any such law in either of the Codes, but much to the contrary. For even the heathen law[54] forbade it to the old Romans, as is evident from an edict of Diocletian in the Justinian Code, where he says, No Roman was allowed to have two wives at once, but was liable to be punished before a competent judge. And the Christian law[55] forbade the Jews also to have two wives at once, according to the allowance of their own law. Sallust[56] says the Romans were used to deride polygamy in the barbarians. And though Julius Cæsar[57] attempted to have a law pass in favour of it, he could not effect it. And Plutarch remarks,[58] that Mark Antony was the first that had two wives among the Romans. But that which is most decisive is, that neither Zosimus, nor Ammianus Marcellinus, the heathen historians, object any such thing to Valentinian; which they would not have failed to have done, had he taken or granted any such liberty contrary to the laws of the Romans before him; but on the other hand, Ammianus Marcellinus says expressly[59] of him, That he was remarkable for his chastity both at home and abroad, and had no contagion of obscenity upon his conscience; by which means he was able to bridle the petulancy of the imperial court, and keep it in good order. And Zosimus[60] rather intimates, that he did not marry his second wife Justina, till Severa his first was dead. Whence Baronius[61] and Valesius[62] rightly conclude, that this story in Socrates must needs be a mere groundless fiction, and that there never was any law to authorize polygamy in the Roman empire. As to the laws of the church, St. Basil[63] observes, That the fathers said little or nothing of polygamy, as being a brutish vice, to which mankind had no very great propensity. But he determines it to be a greater sin than fornication, and consequently it ought to have a longer course of penance assigned it: for fornication was to have seven years' punishment by St. Basil's Rules, and yet the term of penance for polygamy in this canon is only four years: which makes learned men suspect, that this part of the canon is corrupted by the negligence of transcribers, and that St. Basil originally assigned a longer term of penance for this sin, than appears from any copies now extant, which only requires one year's penance in the quality of mourners, and three years in the class of co-standers, without any mention of their being hearers or prostrators, which are usually specified in most other canons of this author. In the first council of Toledo[64] there is also a rule, which accounts it the same thing as polygamy for a man to have a wife and a concubine together: for such a one may not communicate. But if he have no wife, but only a concubine instead of a wife, he may not be repelled from the communion, provided he be content to be joined to one woman only, whether wife or concubine, as he pleases. The difficulty which seems to be in the latter part of this canon I have been at some pains to explain[65] in a former Book, where I show that, in the sense of the ecclesiastical law, a concubine differs nothing from a wife; though the civil law made a greater distinction between them, calling her only a concubine who was married against any of the rules which the laws of the state prescribed, and denying her the privileges, rights, and honours which belonged to a legal wife: for she could claim no right from her husband's estate, nor her children succeed to his inheritance: yet she was not reputed guilty of fornication, nor the husband accounted an adulterer, in the eye of the church, because they kept themselves faithfully and entirely to each other by an exact performance of the mutual contract made between them. Which was the reason why the church allowed such a man to communicate, who was united to a concubine (in the foresaid sense) instead of a wife; but reckoned him guilty of polygamy, who kept a concubine and a wife together.

Sect. 6. Of marrying after unlawful divorce.

Another sort of polygamy was, the marrying of a second wife after the unlawful divorcement of a former; for this, in effect, was reputed the same as having two wives at once. There were some cases in which a man might lawfully put away his wife, without any transgression against the rules of church or state, or violation of any law human or

[54] Cod. Justin. lib. 5. Tit. 5. de Incestis Nuptiis, Leg. 2. Neminem, qui sub ditione sit Romani nominis, binas uxores habere posse, vulgo patet, &c.

[55] Ibid. lib. 1. Tit. 9. de Judæis, Leg. 7. Nemo Judæorum morem suum in conjunctionibus retineat, nec juxta legem suam nuptias sortiatur, nec in diversa sub uno tempore conjugia conveniat.

[56] Sallust. de Bello Jugurth.

[57] Sueton. Vit. Julii Cæs. cap. 52.

[58] Plutarch. Vit. Anton.

[59] Ammian. Hist. lib. 30. p. 462. Omni pudicitiæ cultu domi castus et foris, nullo conscientiæ contagio violatus obscenæ; hancque ob causam tanquam retinaculis petulantiam aulæ regalis frenarat, quod custodire facile potuit.

[60] Zosim. Hist. lib. 4. [61] Baron. an. 370. t. 4. p. 272.

[62] Vales. in Socrat. lib. 4. c. 31. [63] Basil. can. 80.

[64] Conc. Tolet. 1. can. 17. Si quis habens uxorem fidelem, concubinam habeat, non communicet. Cæterum is, qui non habet uxorem, et pro uxore concubinam habeat, a communione non repellatur, tantum ut unius mulieris, aut uxoris concubinæ, ut ei placuerit, sit conjunctione contentus.

[65] Book XI. chap. 5 sect. 11.

divine. The civil law allowed it in many cases. Constantine specifies[66] three cases, in which a man was at liberty to put away his wife, or a woman her husband. A woman might not divorce herself from her husband at pleasure for any ordinary cause, as, because he was a drunkard, or a gamester, or given to women; but only for these three crimes, if he was a murderer, or a poisoner, or a robber of graves: if otherwise, she was to forfeit all her title to his substance, and be sent into banishment. In like manner, the husband was not to put away his wife, but only for the three crimes of adultery, poisoning, and the practice of baudery. If otherwise, the woman might claim her own portion, and the man was incapacitated to marry again. The following emperors[67] allowed many other causes of lawful divorce, as, if a husband was an adulterer, or a murderer, or a poisoner, or guilty of treason against his prince, or a perjured person, or a plunderer of graves, or robber of churches, or a highwayman, or harbourer of such, a stealer of cattle, or a man-stealer, or one frequenting the company of lewd women (which extremely exasperates a chaste wife); if he attempted her life by poison, or the sword, or any the like means; if he beat her as a slave, contrary to the rules of using free-born women: in any of these cases, she had liberty to use the necessary help of a divorce, making proof of the cause before a competent judge. And the same liberty was allowed the man against his wife upon these and the like reasons. But the ecclesiastical laws were much stricter, and admitted of divorces only in case of adultery, and malicious desertion. In the case of adultery, women as well as men were allowed to divorce themselves from the offending party, as appears from the case related by Justin Martyr,[68] and out of him by Eusebius,[69] and several places of St. Austin.[70] And some canons oblige the clergy[71] to dismiss their adulterous wives, under pain of ecclesiastical censure; whilst St. Austin pleads with the laity,[72] rather to be reconciled to an adulterous wife upon her repentance, than dismiss her entirely, because of many great inconveniences that might attend it. One of which was, that he thought the Scripture forbade both man and woman to marry again, even after a lawful divorce, till one of the parties was dead. But he does not so dogmatically assert this, as to make marrying after such a lawful divorce to be a crime worthy of excommunication. For in another book, where he treats of the qualifications of baptism,[73] he says, A man who puts away his wife for adultery, and marries another, is not to be ranked with those who put away their wives without cause, and marry again. For the question is so obscurely resolved in Scripture, Whether he that, putting away his wife for adultery, marries again, be upon that score an adulterer, that a man may be supposed to err venially in the matter. Therefore those crimes of uncleanness, which are manifestly so, ought to debar a man from baptism, unless he change his mind, and correct his crimes by repentance: but for those that are dubious, all that is to be done, is to endeavour to persuade men not to engage in such marriages. For what need is there for men to run their heads into such dangerous ambiguities? But if they are already done, I am not sure that they who do them ought therefore to be denied baptism. By this it appears, that though St. Austin in his own opinion was persuaded, that marrying after a lawful divorce was forbidden in Scripture; yet it was not so clearly forbidden, as to render a man incapable of baptism; nor consequently of the communion; these being of the same account in Christianity, and a man that is incapable of the one is incapable of the other. The first council of Arles seems to have acted upon the same sentiments. The fathers there declare it unlawful for men, who put away their wives for

[66] Cod. Theod. lib. 3. Tit. 16. de Repudiis, Leg. 1. Placet mulieri non licere propter suas pravas cupiditates marito repudium mittere, exquisita causa, velut ebrioso, aut aleatori, aut mulierculario: nec vero maritis per quascunque occasiones uxores suas dimittere. Sed in repudio mittendo a fœmina hæc sola crimina inquiri, si homicidam, vel medicamentarium, vel sepulchrorum dissolutorem, maritum suum esse probaverit, &c. In masculis etiam, si repudium mittant, hæc tria crimina inquiri conveniet, si mœcham, vel medicamentariam, vel conciliatricem, repudiare voluerit, &c.

[67] Cod. Justin. lib. 5. Tit. 17. Leg. 8. Theodosii Junior. Si qua maritum suum adulterum, aut homicidam, aut veneficum, vel certe contra nostrum imperium aliquid molientem, vel falsitatis crimine condemnatum invenerit, si sepulchrorum dissolutorem, si sacris ædibus aliquid subtrahentem, si latronem, vel latronum susceptorem, vel abactorem, aut plagiarium, vel ad contemptum sui domusve suæ, ipsa inspiciente cum impudicis mulieribus, (quod maxime etiam castas exasperat) cætum ineuntem; si suæ vitæ veneno, aut gladio, aut alio simili modo insidiantem; si se verberibus (quæ ingenuis aliena sunt) afficientem probaverit: tunc repudii auxilio uti necessario ei permittimus libertatem, et causas dissidii legibus comprobare, &c. See also Justin. Novel. 22. cap. 3. Novel. 117. cap. 8. et Cod. de Repudiis, Leg. 10 et 11.

[68] Justin. Apol. 1. p. 42. [69] Euseb. lib. 4. cap. 17.

[70] Aug. de Adulterinis Conjugiis, lib. 7. cap. 6, &c. It. de Bono Conjugali, cap. 7. [71] Conc. Neocæsar. can. 8.

[72] Aug. de Adult. Conjug. lib. 2. per totum.

[73] Aug. de Fide et Oper. cap. 19. Quisquis uxorem in adulterio deprehensam dimiserit, et aliam duxerit, non videtur æquandus eis, qui excepta causa adulterii dimittunt et ducunt. Et in ipsis Divinis sententiis ita obscurum est, utrum et iste, cui quidem sine dubio adulteram licet dimittere, adulter tamen habeatur, si alteram duxerit, ut, quantum existimo, venialiter ibi quisque fallatur. Quamobrem, quæ manifesta sunt impudicitiæ crimina, omnimodo a baptismo prohibenda sunt, nisi mutatione voluntatis et pœnitentia corrigantur: quæ autem dubia, omnimodo conandum est, ne fiant tales conjunctiones. Quid enim opus est in tantum discrimen ambiguitatis caput immittere? Si autem factæ fuerint, nescio utrum ii qui fecerint, similiter ad baptismum non debere videantur admitti.

adultery, to marry others:[74] but they do not order, that the great censure of excommunication shall be inflicted on them, but only that they shall be dealt with and advised not to marry a second wife, while the other, who was divorced for adultery, was living. The author under the name of St. Ambrose[75] makes a difference between the man and the woman: he says, The man was allowed to marry a second wife, after he put away a first for fornication, but the apostle did not allow the same privilege to the woman. In which opinion he seems to be singular. For Epiphanius, speaking of the same matter,[76] says, That as the Scripture allows men to marry a second wife after the death of the first; so if a separation is made upon the account of fornication, or adultery, or any such cause, it does not condemn either the man that marries a second wife, or the woman that marries a second husband, nor deny them the privilege of church communion or eternal life, but bears with them for their infirmity. And Origen,[77] though he himself was against the thing, plainly declares that there were some bishops in his time, who allowed women as well as men to marry after such divorces, whilst the separate party was still living: which he reckons indeed to be against those rules of the apostle, "A woman is bound as long as her husband liveth:" and, She shall be called an adulteress, if, as long as her husband liveth, she be married to another man: yet he thinks they might have reasons for permitting it; because perhaps they had regard to the infirmity of such as could not contain, and only permitted an evil against the original rule to avoid a greater sin. Yet some councils[78] forbade such marriages under the penalty of excommunication to those that were of the number of the faithful; only making some allowance to those that were mere catechumens.[79] To this purpose there are two canons in the council of Eliberis, and one in the council of Milevis[80] which orders, That according to the evangelical and apostolical discipline, neither the man that is divorced from his wife, nor the woman divorced from her husband, shall marry others, but either abide so, or be reconciled; and they that contemn this order, are to be subjected to public penance; and withal a petition should be presented to the emperor to desire him to confirm this rule by an imperial sanction. From all which we may easily perceive, that this was always reckoned a difficult question, Whether persons after a lawful divorce might marry again in the life-time of the relinquished party? The imperial laws allowed it; many of the ancient fathers also approved it; some condemned it, but suffered it to pass without any public punishment; and others required a certain penance to be done for it in the church. Of all which different practices the learned reader, that is more curious, may find an ample account in Cotelerius's Notes upon Hermes Pastor.[81] But though they differed upon this point, there was no disagreement upon the other, That to marry a second wife after an unlawful divorce, whilst the former was living, was professed adultery, and as such to be punished by the sharpest censures of the church. The Apostolical Canons[82] order every one to be excommunicated, who either puts away his wife and marries again, or marries one that is put away by another. And all canons generally agree to debar such from entering into holy orders, as marry a wife that is put away by another man. The council of Eliberis goes further,[83] and orders such women as forsake their husbands without cause, and marry others, to be refused communion even at their last hour. And such as marry men who have put away their wives unjustly,[84] if they do it knowingly, are not to be received till the last moment of their days, or, as other copies read it, no not at their last hour.

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[74] Conc. Arelat. 1. can. 10. De his, qui conjuges suas in adulterio depræhendunt, et iidem sunt adolescentes fideles, et prohibentur nubere: placuit, ut in quantum potest, consilium eis detur, ne viventibus uxoribus suis, licet adulteris, alias accipiant.

[75] Ambros. in 1 Cor. vii. 11. t. 5. p. 262. Non permittitur mulieri ut nubat, si virum suum causa fornicationis dimiserit.——Viro licet ducere uxorem, si uxorem dimiserit peccantem.

[76] Epiphan. Hær. 59. Catharor. n. 4.

[77] Orig. Tract. 7. in Matt. t. 2. p. 67. Scio enim quosdam, qui præsunt ecclesiis, extra Scripturam permisisse aliquam nubere, viro priori vivente: et contra Scripturam quidem fecerunt, dicentem, Mulier ligata est quanto tempore vivit vir ejus. Item, vivente viro, adultera vocabitur, si facta fuerit alteri viro. Non tamen omnino sine causa hoc permiserunt: forsitan enim propter hujusmodi infirmitatem incontinentium hominum, pejorum comparatione, quæ mala sunt, permiserunt adversus ea, quæ ab initio fuerant scripta.

[78] Conc. Eliber. can. 9. Fidelis fœmina, quæ adulterum maritum reliquerit fidelem, et alterum duxerit, prohibeatur, ne ducat. Si autem duxerit, non prius accipiat communionem, quam is, quem reliquit, de seculo exierit, nisi necessitas infirmitatis dare compulerit.

[79] Ibid. can. 10. Si ea, quam catechumenus reliquerit, duxerit maritum, potest ad fontem lavacri admitti. Hoc et circa fœminas catechumenas erit observandum.

[80] Conc. Milevit. can. 17. Placuit ut secundum evangelicam et apostolicam disciplinam, neque dimissus ab uxore, neque dimissa a marito, alteri conjungantur: sed ita maneant, aut sibi reconcilientur. Quod si contempserint, ad pœnitentiam redigantur. In qua causa legem imperialem petendam promulgari. Vid. Cod. Afric. can. 105.

[81] Coteler. Patres Apostol. t. 1. p. 88.

[82] Canon. Apost. 48. Vid. Basil. can. 48.

[83] Conc. Eliber. can. 8. Fœminæ, quæ, nulla præcedente causa, reliquerunt viros suos, et alteris se copulaverunt, nec in fine accipiant communionem.

[84] Ibid. can. 10. Si fuerit fidelis, quæ ducitur ab eo, qui uxorem inculpatam reliquerit, et cum scierit illum habere uxorem, quam sine causa reliquit; placuit hujusmodi in fine dari communionem. al. nec in fine dare communionem.

Sect. 7. Of second, third, and fourth marriages.

Some canons also press hard upon second, third, and fourth marriages, by which they seem not to understand either simultaneous polygamy, or marrying after divorce, whilst the former wife was living; but marrying two or three wives successively after the death of the former. For though they did not account these downright adultery, nor, with the Montanists and Novatians, condemn them as simply unlawful; yet some of the ancients were willing to discourage them, and therefore they imposed a certain term of penance upon them. The council of Neocæsarea in one canon says,[85] "They that marry often, have a time of penance allotted them:" and in another,[86] "No presbyter shall be present at the marriage-feast of those that marry twice; for a digamist requires penance. How then shall a presbyter, by his presence at such feasts, give consent to such marriages?" There are many other harsh expressions in Athenagoras, Irenæus, Origen, Gregory Nazianzen, Chrysostom, Jerom, and others concerning second and third marriages, which the learned reader may find collected by Cotelerius[87] in his Notes upon Hermes Pastor and the Constitutions. The latter of which writers declares also against second and third marriages, as transgressions of the law, and brands fourth marriages with the hard name of *προφανὴς πορνεία*, manifest fornication. But Hermes Pastor is more candid; for in answer to the question, Whether men or women may marry after the death of a first consort? he says, He that marries sins not;[88] but if he continues as he is, he shall obtain great honour of the Lord. He neither condemns second marriage, nor gives it any hard name, nor lays any penalty upon it; but only makes it matter of counsel and advice to refrain under the prospect of a great reward. And St. Austin[89] answers the question after the same manner, That he dares not condemn any marriages for the number of them, whether they be second, or third, or any other. I dare not be wise above what is written. Who am I, that I should define what the apostle has not defined? "The woman is bound," says the apostle, "as long as her husband liveth." He said not, the first husband, or the second, or the third, or the fourth; but, "The woman is bound as long as her husband liveth: but if her husband be dead, she is at liberty to be married to whom she will; only in the Lord. But she is happier if she so abide." I see not what can be added to or taken from this sentence. Our Lord himself did not condemn the woman that had had seven husbands. And therefore I dare not, out of my own heart, without the authority of Scripture, condemn any number of marriages whatsoever. But what I say to the widow that has been the wife of one man, the same I say to every widow, Thou art happier if thou so abidest. Epiphanius had occasion to dispute the matter both against the Montanists and Novatians; where he says,[90] The Montanists were of the number of those who forbid men to marry, rejecting all such as were twice married, and compelling them not to take a second wife; whereas the church imposed no necessity on men, but only counselled and exhorted those that were able, laying no necessity upon the weak, nor rejecting them from hopes of eternal life. In like manner he blames the Novatians[91] for making the rule which was given to the clergy, to be the husband of one wife, extend to all; whereas it was lawful for the people, after the death of a first wife, to marry a second. For though he who was content with one wife was had in more honour and esteem by the church; yet the Scripture did not condemn him who married a second after the death of the first, or after a divorce made for fornication, or adultery, or any such cause; neither did it reject him from the privilege of church communion, or eternal life. And it is certain the great council of Nice[92] thus determined the matter against the Novatians, requiring them, upon their return to the church, to make profession in writing, that they would submit to the decrees of the catholic church, particularly in this, that they would *διγάμοις κοινωνεῖν*, communicate with digamists, or those that were twice married. So that whatever private opinions some might entertain in this matter, or whatever private rules of discipline there might be in some particular churches in relation to digamists; it is evident the general rule and practice of the church was not to bring such under discipline, as guilty of any crime, which at most was only an imperfection in the opinion of many of those who passed a heavier censure on it. As for such as plainly condemned second, third, or fourth marriages, as fornication or adultery, I see not how they can be justified, or reconciled to the practice of the catholic church; and, therefore, I leave them to stand or fall by themselves, and go on with the more uncontested discipline of the church against some other practices of uncleanness.

Sect. 8. Of ravishment.

Among which they set a peculiar mark upon ravishment, that is, using force and violence to virgins and

[85] Conc. Neocæsar. can. 3. [86] Ibid. can. 7.

[87] Coteler. Not. in Herm. Past. Mandat. 4. lib. 2. et in Constit. lib. 3. cap. 2.

[88] Herm. Pastor. lib. 2. Mandat. 4. n. 4. Si vir vel mulier alicujus decesserit, et nupserit aliquis eorum, numquid peccat? Qui nubit, non peccat: sed si per se manserit, magnum sibi conquirit honorem apud Dominum.

[89] Aug. de Bono Viduitatis, cap. 12. Nec ullas nuptias audeo damnare, nec eis verecundiam numerositatis auferre, &c.

[90] Ep. Hær. 48. n. 9. [91] Id. Hær. 59. n. 4.

[92] Conc. Nicen. can. 8

matrons to compel them to commit uncleanness. Constantine, in one of his laws,[93] condemns all sorts of raptors to the flames, as well those that ravished virgins against their wills, as those that stole them with their own consent against the will of their parents. And though Constantius a little moderated the punishment, yet he still made it a capital crime, to be punished with death;[94] and in case a slave was concerned in it, he was left to the severity of the former law, to be burned alive. Jovian also made it a capital crime[95] for any one, not only to commit a rape upon a consecrated virgin, but to solicit her to marry either willingly or unwillingly against the rules of her profession. The laws of the church could inflict no such punishment, but when there was occasion, they drew the spiritual sword against them. If any one offers violence to a virgin not espoused to him, let him be excommunicated, say the Apostolical Canons;[96] neither shall he take any other wife, but her whom he has so detained, although she be poor. St. Basil condemns[97] those who are guilty of committing rapes upon virgins, to four years' penance, as fornicators. Where by a rape he means the lowest degree of it, that is, stealing a virgin espoused to another man, and detaining her against her father's consent. In which he also orders,[98] not only the raptor to be excommunicated, but also his family, and the place or village where he dwelt, if they were accomplices, or aiding and assisting to him in his usurpation. From whence we may infer, that if stealing and detaining a virgin with her own consent was thus punishable; the defiling of her by violence was a more heinous crime, and censured with greater severity in the discipline of the church.

Sect. 9. Of unnatural impurities.

What has hitherto been said, relates to the violation of the laws of chastity in the ordinary course of nature. Beyond which there were some monstrous impurities, consisting in the several species of unnatural uncleanness; such as the defilement of men with brutes, commonly called bestiality; and the defilement of men with men, working that which is unseemly, after the manner of Sodom; and the defilement of men's own bodies with themselves by voluntary self-pollution. Tertullian[99] calls all these, impious furies of lust, which make men change the natural use of the sex into that which is against nature; on which the church laid an uncommon and singular punishment, excluding them not only from all parts of the church, but from the very first entrance of it; because they were not ordinary crimes, but monsters. The council of Ancyra has two canons relating to these crimes, the first of which orders, That they who are guilty of bestial lusts before they are twenty years old,[100] be prostrators fifteen years, and after that communicate in prayers only for five years; but if they exceed that age, and be married when they fall into this sin, they are to be prostrators twenty-five years, and five years after communicate in prayers only; if they are above fifty years old, and be married, they are to do penance all their lives, and only communicate at the point of death. The next canon orders,[101] That they who are guilty of bestial lusts, and are leprous, (that is, infect others by tempting and teaching them to commit the same sin,) should pray *εἰς τοὺς χειμαζομένους, inter hyemantes*, that is, either among the demoniacs, or those that were exposed to the weather without the walls of the church. Suicerus[102] thinks this canon is to be understood of those that were infected with the corporal disease of leprosy, who, by the old law, were removed without the camp; but it is more probable it means the spiritual leprosy of those who infected others with the contagion of the same beastly sins, and taught or tempted them to commit the same uncleanness. For, otherwise, leprosy under the gospel would not deserve the extremity of punishment, but commiseration and mercy. St. Basil imposes[103] the penance of adulterers, that is, twenty years' penance, both upon those that abuse themselves with beasts, and those that abuse themselves with mankind. And sometimes he lengthens[104] the term to thirty years, comparing these sins with murder, idolatry, witchcraft, and adultery; which, he says, all deserve the same punishment. The council of Eliberis[105] imposes a severer punishment upon those that so abuse boys to satisfy their lusts. For such are denied communion even at their last hour. The laws of the old Romans had provided no sufficient remedy for these corruptions. There was an old law, called the *lex scantinia*, mentioned by Juvenal[106] and some others: but it lay dormant for many ages, till the Christian emperors came to revive it. The frequent complaints that are made by the Christian writers of the

[93] Cod. Theod. lib. 9. Tit. 24. de Raptu Virginum, Leg. 1.

[94] Ibid. Leg. 2.

[95] Ibid. lib. 9. Tit. 25. de Raptu vel Matrimonio Sanctimonialium, Leg. 2. Si quis, non dicam rapere, sed vel adtemptare, matrimonii jungendi causa, sacratas virgines, vel invitas, ausus fuerit, capitali sententia ferietur. See also Justin. Novel. 14. de Lenon.

[96] Canon. Apost. 67. [97] Basil. can. 22. [98] Basil. Ep. 241.

[99] Tertul. de Pudicit. cap. 4. Reliquas autem libidinum furias impias et in corpora, et in sexus ultra jura naturæ, non modo limine, verum omni ecclesiæ tecto submovemus, quia non sunt delicta, sed monstra.

[100] Conc. Ancyr. can. 16.

[101] Ibid. can. 17. *Τοὺς ἀλογευσαμένους καὶ λεπροὺς ὄντας, ἤτοι λεπρώσαντας, τούτους προέταξεν ἡ ἁγία σύνοδος εἰς τοὺς χειμαζομένους εὔχεσθαι.*

[102] Suicer. Thesaur. Eccles. voce Λεπρὸς, t. 2. p. 226.

[103] Basil. can. 62 et 63.

[104] Ibid. can. 7. Vid. Greg. Nyssen. can. 4.

[105] Conc. Éliber. can. 71. Stupratoribus puerorum nec in fine dandam esse communionem.

[106] Juvenal. Sat. 2. ver. 44. Valer. Maxim. Hist. lib. 6. c. 1

three first ages, Clemens Alexandrinus,[107] Justin Martyr,[108] Tatian,[109] Minucius Felix,[110] Tertullian,[111] Cyprian,[112] and Lactantius,[113] sufficiently show, that these vices were practised with impunity among the heathen. The law made against them was only a pecuniary mulct;[114] and that was very rarely put in execution against them. Suetonius[115] says, Domitian, in the first and good part of his reign, condemned some few offenders by this law: but the distemper grew so raging and inveterate afterwards, that Alexander Severus, a much better prince, durst not effectually set about the cure of it, as Lampridius[116] testifies in his Life. After him, Philip, the emperor, who by some is called a Christian, made a new law to forbid it; but the main business devolved at last upon those that were more undoubtedly Christians. Among whom Constantius,[117] by one of his laws extant in both the Codes, made it a capital crime, and ordered it to be punished with death by the sword. Theodosius[118] added to the penalty by a severer sanction, ordering, That such as were found guilty of this unnatural vice, should be burnt alive in the presence of all the people. Thus the civil and ecclesiastical laws combined together to exterminate all sorts of uncleanness; deterring men from such acts of impurity, as were a scandal to the Christian profession, by such penalties, temporal and spiritual, as were thought most proper to be inflicted in order to restrain them.

Sect. 10. Of maintaining and allowing harlots.

Neither was it only the direct and immediate acts of uncleanness they thus censured and punished, but all other acts that opened and prepared the way to them. Of which kind, the maintaining or encouraging of harlots, publicly or privately, was always reckoned a most infamous practice. Great complaints have been made by writers of divers kinds[119] of the licentiousness of many modern popes in granting tolerations at Rome to such lewd and wicked practices, and receiving annual pensions for the toleration of them. But the ancient laws, both civil and ecclesiastical, were far from such abuses. Heathen Rome in this respect was more chaste and modest than the modern papacy. For even there we find a law recorded out of Papinian in the Pandects,[120] That whoever wittingly let his house be the place to commit fornication or adultery with another man's wife, or any defilement with mankind, or made any gain of the adultery of his own wife, should be punished as an adulterer, of whatever condition he was. And it is remarkable in the laws of Constantine,[121] that a man was allowed to put away his wife, not only if she was an adulteress herself, but if she was a conciliatrix, a pander or procurer of adultery in others. By the laws of Theodosius junior,[122] If any parent or master prostituted his daughter or his maid-slave, they were to forfeit all right of dominion over them; the parties so compelled might appeal to the bishop of the place, or the judge, or the defensor, and require their assistance or protection; and if after that their superiors, master or father, would go on as panders still to compel them, their goods were to be confiscated, and their persons banished and sent to the mines. Socrates commends Theodosius the Great for another good law,[123] whereby he demolished the infamous houses, commonly called *seistra*, at Rome. For till this time a very evil custom prevailed there, that when any woman was taken in adultery, she was condemned by way of punishment to be a common prostitute in the public stews; which kind of punishment, as Socrates truly remarks, did no ways contribute towards her amendment, but only compelled her to add sin to sin. Therefore Theodosius, in his zeal for the piety and purity of the Christian religion, abolished this

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[107] Clem. Alexandr. Pædagog. lib. 1. c. 3.

[108] Justin. Apol. 2. p. 50 et 67.

[109] Tatian. Orat. ad Græcos, p. 165. ad calcem Justini.

[110] Minuc. Octav. p. 68.

[111] Tertul. de Monogam. cap. 12. ad Nation. lib. 1. c. 16.

[112] Cypr. ad Donat. p. 6. [113] Lactant. lib. 5. cap. 9.

[114] Vid. Quintilian. Instit. lib. 4. cap. 2. p. 187. Decem millia, quæ pœna stupratori constituta est, &c.

[115] Sueton. Vit. Domit. cap. 8. Quosdam ex utroque ordine lege Scantinia condemnavit.

[116] Lamprid. Vit. Alex. Severi, p. 350. Habuit in animo, ut exoletos vetaret, quod postea Philippus fecit; sed veritus est, ne prohibens publicum dedecus in privatas cupiditates converteret; cum homines illicita magis poscant, prohibitaque furore persequuntur.

[117] Cod. Theod. lib. 9. Tit. 7. ad Legem Juliam de Adulteris, Leg. 3. Cum vir nubit in feminam——ubi Venus mutatur in alteram formam——jubemus insurgere leges, armari jura gladio ultore, ut exquisitis pœnis subdantur infames.

[118] Ibid. Leg. 6. Hujusmodi scelus expectante populo flammis vindicibus expiabunt.

[119] Vid. Zepper. Legum Mosaicar. Explanat. lib. 4. cap. 18. p. 457.

Agrippa de Vanit. Scientiar. cap. 64.

Mornæi Myster. Iniquit. p. 1310.

Wesselus Gronigens. de Indulgentiis Papalibus, ap. Mornæ. ibid.

[120] Pandect. lib. 48. Tit. 5. ad Legem Juliam de Adulteris, Leg. 8. Qui domum suam, ut stuprum adulteriumve cum aliena matre familias, vel masculo fieret, sciens præbuerit, vel quæstum ex adulterio uxoris suæ fecerit, cujuscunque sit conditionis, quasi adulter punitur.

[121] Cod. Theod. lib. 3. Tit. 16. de Repudiis, Leg. 1. In masculis, etiam, si repudium mittant, hæc tria crimina inquiri conveniet, si mœcham, vel medicamentariam, vel conciliatricem repudiare voluerit.

[122] Cod. Justin. lib. 11. Tit. 40. de Spectaculis et Scenicis et Lenonibus, Leg. 6. Lenones patres et dominos, qui suis filiabus vel ancillis peccandi necessitatem imponunt, nec jure frui dominii, nec tanti criminis patimur libertate gaudere, &c. Vid. Cod. Theod. Tit. 8. de Lenonibus, Leg. 2.

[123] Socrat. lib. 5. cap. 18.

impudent and scandalous punishment; providing other penalties for adultery, and destroying these infamous houses out of Rome. Theodosius junior did the same good service at Constantinople, by a new law, ordering all panders,[124] who kept infamous houses, to be publicly whipped and expelled the city, and that all their slaves, whom they kept for such vile purposes, should be at liberty. And whereas hitherto these wretches had kept up their trade in spite of former laws, under pretence of paying a certain annual tax to the government out of their infamous gain; Theodosius abrogated this tax; and in lieu of it one Florentius a nobleman, by whose pious advice the emperor did this, gave an equivalent out of his own estate to the exchequer, that there might be no deficiency or damage accruing to the public revenue, which might afterwards be used as a plea to grant these miscreants a new toleration. Thus these pious emperors laboured to extirpate this abominable vice out of their two great capitals. And when some remainders of it continued notwithstanding all their endeavours, Justinian resumed the matter, reviving and confirming all the preceding laws by a new edict of his own,[125] and augmenting the punishments specified in them, to root out this abominable way of making provision for lewdness throughout his whole empire. As to the ecclesiastical laws, there is no crime they punished more severely than this; as may be easily collected from the canons of the council of Eliberis; one of which orders,[126] "That if a father, or a mother, or any Christian exercise the trade of a pander, forasmuch as they set to sale the body of another, or rather their own, they shall not be received to communion, no, not at their last hour." And another decrees,[127] "That if a woman commit adultery by the consent of her husband, they shall be rejected even to the last." The reason of this is grounded upon what Tertullian[128] observes of the law prohibiting fornication, that it equally forbids any one to be aiding or assisting, or conscious to another in the practice of it. For what I may not do myself, I may not be instrumental to have it done by others. And therefore, by the same reason that I keep my own body from the common stews, I own myself obliged, neither to promote that infamous trade, nor raise any gain by or for others by such vile practices. Albaspiny rightly observes from the forementioned canons, that this crime was esteemed greater than fornication and adultery itself; because adulterers were received to the peace of the church after a certain term of penance, but this crime was denied communion to the very last.

Sect. 11. Of writing and reading lascivious books.

Another way of promoting uncleanness was, the writing or reading lascivious or obscene books and plays, than which there is no greater incentive or provocation to impurity. And therefore, as the ancients burned and abolished all sorts of heretical books, that they might not corrupt the faith; so they equally forbade the writing or reading all other pernicious books, which tended to debauch the morals of Christians, and severely censured the authors of them, if any such were composed by Christian writers. Socrates[129] says, Heliodorus, a Thessalian bishop, when he was a young man, wrote a lascivious romance, called his Ethiopics; which, others[130] tell us, occasioned a censure to be passed upon him when he was bishop, and he was deprived of his bishopric because he would not recant it. For the same reason they utterly discouraged the reading of such heathen books as were stuffed with impurities; and some canons were made to prohibit the clergy especially from conversing with such writers, of which I have given a more ample account[131] in a former Book.

Sect. 12. Frequenting of the theatre and stage-plays forbidden upon this account.

They are equally severe in their invectives against all frequenters of the theatre and public stage-plays upon the same account; because these were the great nurseries of impurity, where incest and adultery were represented with abominable obscenity, and in a manner acted over again, to corrupt the spectators by their contagion and example. Here, as Cyprian says, adultery was learned[132] by seeing it acted; provocations to vice were so much the stronger, because they were recommended by the authority of great examples; the matron which perhaps came chaste to the theatre, returned back with a contrary disposition. The very gestures of the actors were enough to corrupt men's morals, being fomenters of vice, and purveyors of nutriment for corrupt distempers. Venus they represented in all her lewd behaviour, Mars as an adulterer; and their Jupiter no less a prince in his vices than in his kingdom, burning with his thunderbolts in earthly amours, sometimes shining in the plumes of a swan, sometimes descending in a golden shower, and sometimes sending out his eagles to fetch him

124 Theodos. Novel. 18. de Lenonibus, ad calcem Cod. Theod.

125 Justin. Novel. 14.

126 Conc. Eliber. can. 12. Mater, vel parens, vel quælibet fidelis, si lenocinium exercuerit; eo quod alienum vendiderit corpus, vel potius suum, placuit eas nec in fine accipere communionem.

127 Ibid. can. 70. Si conscio marito fuerit mœchata uxor, placuit nec in fine dandam ei esse communionem.

128 Tertul. de Idololat. cap. 11. Nam quod mihi de stupro interdictum sit, aliis ad eam rem nihil aut operæ aut conscientiæ exhibeo. Nam quod ipsam carnem meam a lupanaribus segregavi, agnosco me neque lenocinium, neque id genus lucrum alterius causa exercere posse.

129 Socrat. lib. 5. cap. 22.

130 Nicephor. Hist. lib. 12. cap. 34.

131 Book VI. chap. 3. sect. 4.

132 Cypr. ad Donat. p. 6.

a beautiful Ganymede. Consider now whether a spectator can be innocent and chaste in viewing such sights as these. Men imitate the gods which they worship, and by this means become more wretched, because their very vices are consecrated into religion. He speaks this against the heathen spectators, but the main of his arguments will equally hold against the Christian. For the theatres, by reason of their impurities, were places of unavoidable temptation; the devil's own ground, his own property and possession; as Tertullian[133] says the devil once called them, when being asked by a Christian exorcist, in the case of a woman who was seized by him at the theatre, how he durst presume to possess a Christian, he answered confidently, I had a right to do it, for I found her upon my own ground. Tertullian[134] says further, That the theatre is properly the temple of Venus upon a double account, both because it was the school of lasciviousness, and because, when Pompey built his famous theatre, he was forced to set the temple of Venus upon it, for fear the Roman censors should demolish it, as they had done some others, in their concern for the morals of the people, which they were sensible were corrupted by the poison and infection of the theatres, which were nothing else (in the opinion of the more grave and sober Romans) but the citadel and fortress of all impure and lascivious practices. For this reason therefore, as well as because they were accompanied with idolatrous rites, Tertullian and all the ancients declaim against them, and forbid Christians to frequent them, under pain of being deemed guilty of all the impurities of the place, and partakers of all the lewdness committed in them. As this was one part of their baptismal renunciation, where the impurities of the stage were virtually renounced in renouncing the pomps[135] of Satan; so it was necessary for a Christian to abstain from them as a spectator, for fear of losing his title to Christian communion, and being accounted a renegado to his first profession. It is certain it was so in the time of Tertullian, and when the author of the Constitutions[136] drew up his Collections. But in after ages, because the civil law allowed the interludes of the theatre for the diversion of the people, when they were purged from idolatry, but not from lewdness; the fathers contented themselves to declaim against them with sharp invectives, and correct that reigning humour by serious admonitions, which the iniquity of the times would not suffer them to do by the more exact and primitive discipline of the church. Any one that will consult St. Chrysostom's[137] or Cyril's Catechisms,[138] or Salvian,[139] may find this observation true, that though the canons did not now make it peremptory excommunication for a man to frequent the theatre, yet the fathers inveighed as sharply as ever against it, for the impurity and corruption of morals that were the natural consequences of it. There was anciently a famous sight or play, called Maiuma, a considerable part of which diversion was, to see infamous strumpets swim naked in the water. Whence, learned men observe, it had its name; for *maiuma*, in the Syriac tongue, signifies water. Gothofred[140] observes, and Pagi[141] after him, that the people were so eagerly bent and inclined to this obscene diversion, that though there were good reasons for abolishing it, yet the imperial laws from Constantine to Arcadius varied eight times about it; sometimes allowing, and sometimes restraining it; till at last Arcadius, who had at first permitted it, revoked his licence, and finally abolished it; allowing other sports for the diversion of the people, but denying them this, as a base and unseemly[142] spectacle. And under that character, St. Chrysostom[143] and others, with their utmost force and vehemence, declaim against it.

Sect. 13. As also all excess of riot and intemperance for the same reason.

For the same reason they made sharp invectives against luxury, and riot, and intemperance, not only as they were crimes in themselves, but as they were the avenues and inlets to the greater sins of uncleanness. And therefore, though they did not punish every single act of drunkenness and excess with excommunication, yet they thought it proper to bring habits and customs of such sins under public discipline and censure. It is an observation of Tertullian,[144] and a very true one, that drunkenness and lust are two devils combining and conspiring together. Bacchus and Venus are nearly allied, and too well agreed. "Drunkenness," says one of the ancient canons,[145] "is the fomenter and nurse of all vices." And therefore it was ordered, That if any clergyman of the lowest degree was found guilty of any single act of it, he should either be suspended from communion for thirty days,

[133] Tertul. de Spectac. cap. 26.
[134] Ibid. cap. 10.
[135] See Book XI. chap. 7. sect. 2.
[136] Vid. Constit. lib. 8. cap. 32.
[137] Chrys. Hom. 6. in Mat. Hom. 73. de S. Barlaam, t. 1. p. 893. Hom. 15. ad Pop. Antioch. ibid. p. 190.
[138] Cyril. Cat. Myst. 1. n. 4.
[139] Salvian. de Provid. lib. 6. p. 197.
[140] Gothofr. Com. in Cod. Theod. lib. 15. Tit. 6. de Maiuma, Leg. 2.
[141] Pagi, Critic. in Baron. vol. 2. an. 399. n. 5.
[142] Cod. Theod. lib. 15. Tit. 6. de Maiuma, Leg. 2. Maiumam fœdum atque indecorum spectaculum denegamus.
[143] Chrys. Hom. 7. in Mat. p. 71.
[144] Tertul. de Spectac. cap. 10. Veneri et libero convenit. Duo ista dæmonia conspirata et conjurata inter se sunt, ebrietatis et libidinis.
[145] Conc. Venetic. can. 13. Ebrietas omnium vitiorum fomes ac nutrix est.——Itaque clericum, quem ebrium esse constiterit, aut trigiuta dierum spatio a communione statuimus submovendum, aut corporali subdendum esse supplicio. Vid. Conc. Agathen. can. 41, iisdem verbis.

or be subject to corporal punishment for his offence. This we find decreed in the councils of Agde and Vannes, as a standing rule in the French church. And there goes a decree under the name of Pope Eutychian,[146] which makes the habit of drunkenness matter of excommunication to a layman also, till he break off the custom by reformation and amendment. But it must be owned, this vice was sometimes so general and epidemical, that the numbers of transgressors made the exactness of discipline impracticable. St. Austin[147] complains and laments, that it was so in Africa in his time. Though the apostle had condemned three great and detestable vices in one place, viz. rioting and drunkenness, chambering and wantonness, strife and envying; yet matters were come to that pass with men, that two of the three, drunkenness and strife, were thought tolerable things, whilst wantonness only was esteemed worthy of excommunication; and there was some danger that in a little time the other two might be reputed no vices at all. For rioting and drunkenness was esteemed so harmless and allowable a thing, that men not only practised it in their own houses every day, but in the memorials of the holy martyrs on solemn festivals, and that in pretended honour to the martyrs also; which was a thing that every one must needs lament, who did not look with carnal eyes upon it. It is plain, St. Austin thought an habitual course of rioting and drunkenness a crime deserving excommunication, as well as fornication and adultery; but yet, in regard to the great numbers that were given to this sin, his advice to Aurelius, the metropolitan of Africa, is,[148] that it should be cured not with asperity and roughness, nor in the imperious way, but by teaching rather than commanding, and by admonition rather than commination. For so we must deal with a multitude; but the severity of discipline is only to be exercised upon sins, when the number of sinners is not very great. So that we may conclude, that rioting and drunkenness was one of those great crimes for which men were put to do public penance in the church, except when the multitude and combination of sinners made it not feasible, and obliged the church to take other measures to correct it.

Sect. 14. And promiscuous bathing of men and women together.

It must also be noted upon this head, that as a preservative of modesty and chastity, both the canon and civil law prohibited men and women to go promiscuously into the same baths together. Let not a woman go to wash in the same bath with men, says the author[149] of the Constitutions. And the council of Laodicea,[150] Neither clergyman, nor ascetic, nor layman, shall wash in the same bath with women; for this is extremely scandalous, and culpable even among the Gentiles. The council of Trullo[151] repeats this canon word for word, and then adds in the close, If any clergyman be found guilty of this practice, he shall be deposed; if a layman, let him be excommunicated. The observation made in these canons, that this was a scandalous crime even among the heathens, is confirmed out of the old Roman laws and writers. Varro says,[152] The ancient baths were divided into two distinct buildings or apartments, one for the men, and the other for the women, to wash in. And the same account is given by Vitruvius,[153] and Charisius, and other writers. And when the degeneracy of the following ages began to confound this distinction, Spartian[154] says, Adrian made a law against promiscuous bathing. And Julius Capitolinus[155] says the same of Antoninus Philosophus. Nay, the old Romans were so careful to preserve modesty in this matter, that Tully[156] says, they did not allow a son to bathe with his father, nor a son-in-law with his father-in-law; nature itself teaching men, that there was a decency to be observed in making such distinctions. And the same thing is related by Valerius Maximus,[157] and much commended by St. Ambrose.[158] Now, the case standing thus even among the heathens, it would have been extremely scandalous for the Christians to have permitted promiscuous bathing, and, therefore, they prohibited it by their ecclesiastical laws, under the severe penalty of excommunication. And the imperial[159] laws

146 Eutychian. Decret. ap. Crab. t. 1. p. 180. Qui ebrietatem vitare noluerit, excommunicandum esse decrevimus usque ad congruam emendationem. Vid. Can. Apostol. 42 et 43.

147 Aug. Ep. 64. ad Aurelium.

148 Ibid. Non ergo aspere, quantum existimo, non duriter, non modo imperioso ista tolluntur, magis docendo quam jubendo, magis monendo quam minando. Sic enim agendum est cum multitudine: severitas autem exercenda est in peccata paucorum.

149 Constit. lib. 1. cap. 9. Ἀνδρόγυνον γυνὴ πιστὴ μὴ λουέσθω.

150 Conc. Laodic. can. 30.

151 Conc. Trull. can. 77.

152 Varro de Lingua Latin. lib. 8. p. 115. Publice bina conjuncta ædificia lavandi causa; unum ubi viri, alterum ubi mulieres lavarentur.

153 Vitruvius de Architect. lib. 5. cap. 20. Charisius Grammat. lib. 1. ap. Savaro. Not. in Sidonium, lib. 2. Ep. 2. Et Dempster Paralipomena ad Rosini Antiq. Rom. lib. 1. c. 14.

154 Spartian. Vit. Adrian. p. 25. Lavacra pro sexibus separavit.

155 Capitol. Vit. Antonin. p. 90. Lavacra mixta submovit.

156 Cicer. de Offic. lib. 1. n. 129. Nostro quidem more cum parentibus puberes filii, cum soceris generi non lavantur. Retinenda est igitur hujus generis verecundia, præsertim ipsa natura magistra et duce.

157 Valer. Max. lib. 2. cap. 1. n. 7.

158 Ambros. de Offic. lib. 1. cap. 18.

159 Cod. Justin. lib. 5. Tit. 17. de Repudiis, Leg. 11. Inter culpas viri et uxoris constitutionibus enumeratas, et has adjicimus, si forte uxor ita luxuriosa est, ut commune lavacrum cum viris libidinis causa habere audeat. Vid. Novel. 22. c. 16.

of Justinian carried the matter a little further; for, among other lawful causes of divorce, authorizing a man to put away his wife, he allows this to be one, If a woman be so intemperate and luxurious as to go into a common bath with men. Private writers declaim much against it. Epiphanius [160] condemns it in the Jews; and Cyprian not only [161] censures this, but many other acts of immodesty in virgins, as painting, and over-nice dressing, and appearing unveiled, (against which also Tertullian [162] has a whole discourse,) with some other indications of a loose and unguarded mind, which need not here be particularly mentioned or further pursued. I purposely also pass over the scandalous practice of some, who entertained their *agapetæ*, or love-sisters, as they called them, with professions of the strictest innocence and virtue; because I have formerly had occasion to show with what severity the ancient rules [163] condemned this as a most suspicious and intolerable practice, and perfectly against the laws of the gospel, which oblige men not only to regard the preservation of their innocence, but their good name; "To mind things that are honest," that is, becoming and honourable, "and of good report; to provide for honest things, not only in the sight of God, but also in the sight of men; and to abstain from all appearance of evil." In regard to which precepts, the ancient rules not only censured open fornication and adultery, but all such indecent actions, as had any tendency toward them, or were justly liable to suspicion, and gave occasion to the adversary to speak reproachfully of that holy religion, the honour of which Christians were obliged to maintain in all purity, as well in word as outward conversation; avoiding this, that no one should blame them, and managing their whole deportment with innocence and prudence, to answer those great precepts of the gospel, "Give no offence, neither to the Jew, nor to the Gentile, nor to the church of God:" and, "So let your light shine before men, that they may see your good works, and glorify your Father which is in heaven."

Sect. 15. And promiscuous and lascivious dancing, wanton songs, &c.

For the same reason, they prohibited all promiscuous and lascivious dancing of men and women together. The council of Laodicea [164] forbids it under the name of *βαλλίζειν*, which some interpret playing on cymbals or other musical instruments, but more commonly it is understood by learned [165] men as a prohibition of wanton dancing at marriage feasts, against which there are several other canons of the ancient councils, and severe invectives of the fathers. The third council of Toledo [166] forbids it under the name of *ballimathiæ*, which they interpret wanton dances, joining them with lascivious songs, the use of which they complain of as an [167] irreligious custom prevailing in Spain among the common people on the solemn festivals; which they order to be corrected both by the ecclesiastical and secular judges. The council of Agde [168] forbids the clergy to be present at such marriages, where obscene love songs were sung, or obscene motions of the body were used in dancing. And by another canon,[169] If they use any scurrility or filthy jesting themselves, they are to be removed from their office. The like canons occur in the council of Lerida [170] and some others, forbidding to sing or dance at marriages, but feast with modesty and gravity, as becomes Christians. St. Ambrose excellently describes the immodesty of this sort of dancing used by drunken women: [171] They lead up dances, says he, in the streets, unbecoming men, in the sight of intemperate youths, tossing their hair, dragging their garments flying open, with their arms uncovered, clapping their hands, dancing with their feet, loud and clamorous in their voices, irritating and provoking youthful lusts by their theatrical motions, their petulant eyes, and unseemly antics and fooleries. Meanwhile a crowd of youth stands gazing upon them, and so it is a miserable spectacle indeed.

St. Chrysostom [172] has abundance to the same purpose, particularly in one of his homilies,[173] he declaims against it as one of those pomps of Satan which men renounced in their baptism. He says, The devil is present at such a time, being called

[160] Epiph. Hær. 30. Hebionit. n. 7.

[161] Cypr. de Habitu Virginum, p. 100, &c.

[162] Tertul. de Veland. Virgin.

[163] Book VI. chap. 2. sect. 13.

[164] Conc. Laodic. can. 53.

[165] Suicer. Thesaur. Eccles. voce Βαλλίζειν. Rivet. in Decalog. p. 338. Stuckius, Antiquit. Convival. lib. 3. cap. 21.

[166] Conc. Tolet. 3. in Edicto Regis Reccaredi. Quod ballimathiæ et turpia cantica prohibenda sunt a sanctorum solenniis.

[167] Ibid. can. 23. Irreligiosa consuetudo est, quam vulgus per sanctorum solennitates agere consuevit. Populi qui debent officia divina attendere, saltationibus turpibus invigilant: cantica non solum mala canentes, sed et religiosorum officiis perstrepentes. Hoc etenim ut ab omni Hispania depellatur, sacerdotum et judicum a concilio sancto curæ committitur.

[168] Conc. Agathen. can. 39. Nec his cætibus misceantur, ubi amatoria cantantur et turpia, aut obscœni motus corporis choreis et saltationibus efferuntur, &c.

[169] Ibid. can. 70. Clericum scurrilem et verbis turpibus joculatorem ab officio retrahendum.

[170] Conc. Ilerdens. ap. Crab. t. 1. p. 1031. Quod non oporteat Christianos euntes ad nuptias, plaudere vel saltare, &c.

[171] Ambros. de Elia et Jejuniis, cap. 18. Illæ in plateis inverecundos viris sub conspectu adolescentulorum intemperantium choros ducunt, jactantes comam, trahentes tunicas, scissæ amictus, nudæ lacertos, plaudentes manibus, saltantes pedibus, personantes vocibus, &c.

[172] Chrys. Hom. 48. in Gen. p. 680. Hom. 56. in Gen. p. 746. Hom. 49. in Matt. p. 436. Hom. 12. in Colos. p. 1403, &c. Hom. 19. de Scortat. t. 5. p. 272.

[173] Chrys. Hom. 47. in Julian. Mart. t. 1. p. 613. Hom. 23. de Noviluniis, t. 1. p. 264.

thither by the songs of harlots, and obscene words, and diabolical pomps used upon such occasions. And in another homily, speaking of the dancing of Herodias's daughter, he says, Christians now do not deliver up half a kingdom, nor another man's head, but their own souls to inevitable destruction. By which it appears, that these dancings were causes of great corruption, being mixed with ribaldry and lascivious songs and wanton gestures, which are incentives to impurity, and wholly unhinge the frame of the Christian temper; for which reason the ancients are so frequent, and copious, and severe in their invectives against them.

Sect. 16. Also promiscuous clothing.

Some canons also severely condemn the promiscuous use of habits, or men and women interchanging their apparel peculiarly appropriated to their different sex. Eustathius taught his she disciples to wear the habit of men under pretence of religion; and cut off their hair upon the like superstitious reason. But the council of Gangra condemned both these practices, as great irregularities, confounding the order of nature, and laid the heavy censure of anathema upon them. "If any woman," says one canon,[174] "under pretence of leading an ascetic life, change her apparel, and instead of the accustomed habit of women take that of men, let her be anathema." And another,[175] "If any woman, upon the account of an ascetic life, cut off her hair, which God has given her as a memorial of subjection, let her be anathema, as one that annuls the decree of subjection." The foundation of this canon was the order given by St. Paul, 1 Cor. xi., "That a woman should not be shorn or shaven." And the foundation of the former canon was the rule given by God to the Jews, Deut. xxii. 5, "The woman shall not wear that which appertaineth to a man, neither shall a man put on a woman's garment: for all that do so are abomination to the Lord thy God." Which the ancient writers, Cyprian,[176] Tertullian,[177] and many others,[178] understand simply and universally of men and women interchanging habits, as was usually done in stage-plays, which they condemned for this reason, as for many others. Some modern interpreters,[179] after Lyra[180] and Maimonides,[181] think there was a further design in this precept, to prohibit the idolatry of the ancient Zabii, in whose magical books it was commanded that men should put on the women's painted garments, when they stood to worship before the star of Venus; and that women should put on the men's warlike habit and instruments, when they appeared before the star of Mars. But as the ancient Christian writers were not acquainted with this interpretation, we have reason to believe they took the rule in the common and vulgar sense, as a universal prohibition of men and women interchanging habits in all cases whatsoever; it being a thing against the light of nature and the laws of reason, as Diogenes Laertius[182] words it in the Life of Plato, for any one to walk naked in public, or for a man to wear the woman's clothing. And for this reason the ancients prohibited it, as an indecent and shameful thing, and as ministering occasion to uncleanness even when it was used under pretence of greater strictness in religion.

Sect. 17. And suspected vigils, or pernoctations of women in churches under pretence of devotion.

And for the same reason the ancient council of Eliberis forbade women to keep private vigils, or night-watches in the dormitories or churches, because often, under pretence of prayer and colour of devotion, secret[183] wickedness had been committed by them. This seems to be the most rational account that can be given of the meaning and reason of this canon, that it was intended to cut off the occasion of lewdness and uncleanness, however artfully disguised under the mask of greater strictness in religion; there being nothing that could reflect more dishonour on the Christian name, than the allowing such opportunities of sin under the feigned pretence of piety and devotion in their churches.

CHAPTER XII.

OF GREAT TRANSGRESSIONS OF THE EIGHTH COMMANDMENT, THEFT, OPPRESSION, USURY, PERVERTING OF JUSTICE, FRAUD AND DECEIT IN TRUST AND TRAFFIC, ETC.

Sect. 1. Of those who taught the doctrine of renunciation, or having all things common.

The design of the eighth commandment is, to secure men in the quiet possession of their own rights and properties, or whatever they have a just title to by the laws of God and the community where they dwell. And therefore, as many ways as these rights may be invaded or impaired, so many ways there are of committing robbery and transgressing this command. There were in the ancient church some heretics, who, under pretence of greater heights in religion, would allow no men to possess any thing as their own right and pro-

174 Conc. Gangren. can. 13. 175 Ibid. can. 17.

176 Cypr. Ep. 62. al. 2. ad Eucratium.

177 Tertul. de Spectac. cap. 23.

178 Vid. Prin. Histriomastix.

179 Spencer. de Legib. Hebr. lib. 2. cap. 17. n. 1.

180 Lyra, in Deut. xxii.

181 Maimon. More Nevoch. part 3. cap. 37.

182 Diogen. Laert. lib. 3. Vita Platon. p. 131.

183 Conc. Eliber. can. 35. Placuit prohiberi, ne fœminæ in cœmeterio pervigilent: eo quod sæpe sub obtentu orationis latenter scelera committant.

perty in this world; but obliged all men to renounce their title to every thing, and to have all things in common; pronouncing a peremptory sentence against all rich men, that unless they gave up their possessions, and forsook all that they enjoyed, they could not enter into the kingdom of heaven. These men called themselves *apotactici*, from renouncing the world; and *apostolici*, from their pretended imitation of the apostles; and *encratitæ*, from their ostentation of temperance and abstinence above other men. St. Austin says,[1] They would receive none into their communion that lived in the conjugal state, or that possessed any thing as their property in this world: they separated from the church upon this account, and would allow no man to have any hope of salvation, that did not practise as they did; and therefore the church condemned them as heretics for laying such a doctrinal necessity upon these things, which were left to every man's liberty in practice. The Eustathians maintained the same doctrine, but the council of Gangra[2] condemned it as heretical, and anathematized the authors and defenders of it. So that this was a general sort of invasion of the rights and properties of mankind, robbing them of every thing in an unusual and extraordinary way, not by any open violence or secret stealth, but by turning religion into an art, and inducing men to rob themselves of every thing under pretence of piety and greater heights of devotion. The factors and agents in this cause seem not to have had any design to enrich themselves, but to make all men poor, and bring them to a level, and lay all things common: which was such a scandalous representation of the Christian religion in the eyes of the heathen, that the fathers thought they could not be too severe upon it, however it was coloured over with the varnish and disguise of holiness, pretending a great contempt of the world, and a Divine and heavenly temper. As therefore they condemned the doctrine for heretical, so they never failed to pursue the abettors of it with the utmost severity of ecclesiastical censures. And the imperial laws concurred with them,[3] subjecting these *apotactites*, or renouncers, to all the civil penalties that were imposed upon heretics in all other cases, except that of confiscation of goods, which signified nothing to those, whose very crime consisted in a perverse way of renunciation of all things, which left them nothing to forfeit.

Sect. 2. Of plagiary or man-stealing.

Next to this general sort of robbery, the laws set a particular mark upon that which is commonly called plagiary, or man-stealing. The old Roman law condemned such as were guilty of it, either in a pecuniary mulct, or sent them to the mines. But Constantine thought this was not a sufficient punishment for the crime, and therefore he added to it, and made it capital,[4] ordering every such criminal to be thrown to the wild beasts in the theatre, and if they were likely to escape with their lives thence, to be put to death with the sword. The ecclesiastical laws appoint no particular punishment for this crime; but it being of the same nature with murder in the law of God, it may be supposed that the penance of murderers was inflicted on those that were found guilty of it.

Sect. 3. Of malicious injustice.

I take no notice here of sacrilege, because though that be a species of theft, yet the punishment of that has been considered under[5] another title. The remaining sorts of injustice may be summed up under these four heads: 1. Malicious injustice. 2. Simple theft. 3. Open violence and oppression. 4. Fraud and deceit. Malicious injustice is doing hurt and prejudice to our neighbour in his goods out of pure hatred and ill-will, when we can do ourselves no benefit or kindness by it; as when men set houses or stacks of corn on fire out of malice and revenge to their neighbours, or poison or kill their cattle, or do them any the like injury in their goods, without reaping any advantage from it, but only gratifying a spiteful and revengeful temper. The old Roman law adjudges all such to be guilty of capital crimes, and particularly those whom they term incendiaries,[6] who set towns on fire, either out of enmity, or to make plunder and prey of them; which sort of criminals were by way of just retaliation often sentenced to be burnt alive. The ecclesiastical code of the ancient church has no particular laws against such;[7] but as their crimes were often a complication of many great sins; enmity and malice, and theft and murder, commonly concurring in incendiaries; so it may be presumed the punishment and penance was assigned according to the nature and quality of the several offences which made up this compound vice, than which few can be conceived more heinous, because it has in it so much of the pure malicious and diabolical temper.

[1] Aug. de Hær. cap. 40. Apostolici, qui se isto nomine arrogantissime vocaverunt, eo quod in suam communionem non reciperent utentes conjugibus, et res proprias possidentes.—Sed ideo isti hæretici sunt, quoniam se ab ecclesia separantes, nullam spem putant eos habere qui utuntur his rebus, quibus ipsi carent. Encratitis isti similes sunt, nam et Apotactitæ appellantur. Vid. Epiphan. Hær. 61. Apostolicor. n. 4.

[2] Conc. Gangren. in Præfat.

[3] Vid. Cod. Theod. lib. 16. Tit. 5. de Hæret. Leg. 7 et 11.

[4] Cod. Theod. lib. 9. Tit. 18. ad Legem Fabiam de Plagiariis, Leg. 1. Bestiis primo quoque munere objiciatur, &c.

[5] Chap. 6. sect. 22, &c.

[6] Digest. lib. 48. Tit. 19. de Pœnis, Leg. 29. Incendiarii capite puniuntur, qui ob inimicitias, vel prædæ causa, incenderunt intra oppidum, et plerumque vivi exuruntur.

[7] The first ecclesiastical laws against incendiaries I have met with, are the decrees of Eugenius II. an. 824. cap. 9. t. 7. p. 1542. And Pope Gregory's Decretals, lib. 5. Tit. 17. de Raptoribus et Incendiariis.

Sect. 4. Of simple theft.

Simple theft was reckoned among the great crimes which brought men under public penance, and therefore there is the more reason to conclude it of those complicated crimes. St. Austin frequently, in distinguishing between great and small sins, puts theft into the first class of heinous crimes,[8] for which men were to do a more formal penance in the church. And among St. Basil's canons[9] there is one that particularly specifies the time of penance: The thief, if he discover himself, shall do one year's penance; if he be discovered by others, two: half the time he shall be a prostrator, the other half a co-stander. Only St. Austin intimates,[10] There were some circumstances in which they were forced to bear with this as well as other sins: he means, when some insuperable difficulties or danger made it either impossible, or unadvisable, to put the discipline of the church strictly in execution against them.

Sect. 5. Of detaining lost goods from the true owner.

Under this head they reckoned such as detained any lost goods, which they found, from the true proprietor, when he could lay a just claim to them. St. Austin expressly condemns this as manifest robbery. If thou hast found any thing,[11] and not restored it, thou art guilty of robbing the true owner. He that denies what he finds of another man's, would take it from him if he could. In this case God examines the heart, and not the hands. Origen says the same,[12] That not to restore what a man finds, is equal to robbery; however some had the vanity to think there was no sin in it, and were ready to ask, To whom should I restore it, seeing God has put it into my hands? The old Roman laws were much more equitable than the conscience of such; for they reckon it theft to detain what a man finds, even when they know not who is the true owner of it. In which case they direct him to put up a libel of inquiry after the proprietor,[13] and when he is found to take of him what they call *εὕρετρα*, and *μήνυτρα*, and *σῶστρα*, a reward for finding and saving what was lost: though this they rather account a dishonourable and scandalous demand, if precisely exacted. St. Austin gives a very remarkable instance of this sort of generosity, in refusing the reward of finding lost goods, in one who was a poor Christian usher to a heathen schoolmaster at Milan. He found a bag of money about the value of two hundred shillings, and not knowing who was the owner, according to law, he put up a libel[14] publicly to inquire after him. For he was sensible he ought to return it, though he knew not as yet to whom. The man who had lost the money, upon notice given in the libel, comes to him, and tells the marks, the condition of the bag, the seal, and the sum, and receives his own again; and with great joy, thankfulness, and gratitude, offers him the tithe, twenty shillings, as his requital and reward; but he would not accept it. He offers him ten; but he would not accept it. He entreats him, however, at least to take five; but he refused. Upon which, the man in anger cast down his bag, and said, I have lost nothing: if thou wilt receive nothing of me, I have lost nothing. What a brave contention, says St. Austin, what[15] a prize, what a strife and noble conflict was this, where the whole world was the theatre, and God the spectator! At last the man is subdued by mere importunity, and prevailed upon to accept what was offered him; but he immediately gave it all to the poor, and would not carry one shilling of it home with him to lay up for his own private use. By this relation we may judge how great a crime it was reckoned to conceal or detain what was lost from the right owner, since even the exacting any reward for finding it was reputed dishonourable and scandalous, and some ancient canons set a particular mark of infamy upon it, as a species of filthy lucre. Men ought not, says Gregory Thaumaturgus,[16] to exact a reward for saving, or discovering, or finding any thing that was lost, but to live without filthy lucre.

Sect. 6. Of refusing to pay just debts.

They put into the same class all such as refused to pay their just debts, especially such as used any base and sinister arts to excuse themselves from the payment of them. It was usual with many Jews to pretend to become converts to Christianity, only to shelter themselves from their creditors, and the justice of the law in many criminal cases also, by claiming the privilege of sanctuary in the church. To correct which abuse, Arcadius made a law,[17] That no

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[8] Aug. Tract. 12. in Joan. p. 47. Hom. 27. ex 50. t. 10. p. 177. Tract. 41. in Joan. p. 126.

[9] Basil. can. 61.

[10] Aug. Ep. 54. ad Macedon. p. 95. Aliquando etiam, si res magis curanda non impedit, sancti altaris communione privamus.

[11] Aug. Hom. 19. de Verbis Apost. t. 10. p. 138. Quod invenisti, et non reddidisti, rapuisti. Quantum potuisti, fecisti: quia plus non potuisti, ideo plus non fecisti. Qui alienum negat, si posset, et tolleret.——Deus cor interrogat, non manum.

[12] Orig. Hom. 4. in Levit. p. 119. Peccatum hoc esse simile rapinæ, si quis inventa non reddat, &c.

[13] Digest. lib. 47. Tit. 2. de Furtis, Leg. 43. n. 9. ex Ulpiano. Quid ergo si *εὕρετρα*, quæ dicunt, petat? Non hic videtur furtum facere, etsi non probe petat aliquid.

[14] Aug. de Verbis Apost. Serm. 19. p. 138. Memor legis proposuit pittacium publice. Reddendum enim sciebat, sed cui redderet, ignorabat, &c.

[15] Ibid. Quale certamen, fratres mei, quale certamen, qualis pugna, qualis conflictus! theatrum mundus, spectator Deus.

[16] Greg. Thaum. can. 10. ap. Bevereg. Pandect. t. 2. p. 34. Μήτε μήνυτρα, ἢ σῶστρα, ἢ εὕρετρα ἀπαιτοῦντας, κ.τ.λ.

[17] Cod. Theod. lib. 9. Tit. 45. de his, qui ad Ecclesias confugiunt, Leg. 2. Judæi, qui reatu aliquo vel debitis, fatigati,

such practice should be allowed; but that they should be repelled from the church, and not be received till they had faithfully discharged all their debts, and demonstrated their innocence in other respects, as a necessary qualification for their admission. In some cases, indeed, when men were unable to pay their debts, the church in charity was inclined to protect them: but then, in that case, she was also obliged to pay their debts, as appears from several laws[18] made in that behalf; and from the instance which St. Austin[19] gives of his own church paying the debts of one Fastius, who fled from his creditors to her protection: and this case of necessity was very different from that fraudulent and criminal refusal of paying debts when men lay under no such straits and difficulties. As, therefore, the one was matter of commiseration, and made men objects of pity and compassion; so the other made them odious and abominable, as deceitful villains, and rendered them fit objects of legal severity and ecclesiastical censure.

Sect. 7. And what men are bound to by the obligation of promise and contract.

Among just debts they always reckoned those which men contracted by the obligation of promise and mutual engagements to each other: and therefore all breach of faith in such cases came under the denomination of theft, and was, accordingly, punished as a species of that transgression. The council of Eliberis[20] applies this particularly to such parents as break the espousals, or ante-nuptial contracts, to which they have agreed in behalf of their children: for which offence they are obliged to abstain three years from the communion. This, in effect, was a robbery committed both upon persons and things, depriving the man of his wife, and the woman of her husband, and each of them of all those rights and benefits that might have accrued to them by such matrimonial contracts. For which reason it was ranked among those more heinous thefts and perfidious injuries offered to men's rights, which were thought to deserve a public censure.

Sect. 9. Of removing bounds and landmarks.

And among these, the removing or defacing ancient bounds and landmarks was accounted no small crime. Even among the old Romans it was punished as a capital offence. Numa Pompilius divided the Roman fields by certain marks erected of stone, which they called *lapides sacri*, because they were consecrated to Jupiter; and the covering or transferring these was reckoned such an offence, that any one who was taken in it might lawfully be slain,[21] as a sacrilegious person. The law of God lays a curse upon it, Deut. xxvii. 17, "Cursed be he that removeth his neighbour's landmark." Constantine reckons it among those criminal actions which were to be punished in an extraordinary way,[22] as Pithæus and Gothofred have observed from an old remark made upon the sentences of the famous lawyer Paulus, which says, *In eum qui per vim terminos dejecerit, vel amoverit, extra ordinem animadvertitur:* upon which the annotator says, That the same thing was determined by Constantine in the Theodosian Code. Which makes Gothofred conclude, That either that law is wanting now in the Theodosian Code, or else that it refers to Constantine's first law under that title, which says, *Invasor ille pœnæ teneatur addictus*, Such an invader shall be liable to punishment, though the particular manner of punishment be not expressed. However, it was a crime of that nature, as to require a peremptory punishment without appeal, as appears from another law of Constantine's[23] in the same Code. The ecclesiastical law always condemned this as a cursed crime from the law of God: "Cursed be he that removeth his neighbour's landmark." And, "Remove not the ancient landmark, which thy fathers have set." Under this title they also censured all such ambitious bishops as, not content with the limits of their own dioceses, invaded the territory of others, and endeavoured to bring places out of their district under their jurisdiction. Pope Innocent,[24] writing to a bishop upon such an occasion, reminds him of what the Scripture has so often said, that we ought not to remove the bounds which our fathers have set; and therefore admonishes him to quit his pretensions, unless he was minded to feel the severity of ecclesiastical censure.

Sect. 9. Of oppression.

This sort of robbery may also be reckoned under another species of theft, which the law calls compound theft, because it joins something of violence or oppression to the robbery. Such as hostile invasion, robbing with arms upon the highway, breaking houses in the night, piracy at sea, cruel exactions of judges and other public officers above what the law allows, perverting of justice by bribery or rigorous interpretations of the law, together with extortion and unjust usury. All which the law condemns under

simulant se Christianæ legi velle conjungi, ut ad ecclesias confugientes vitare possint crimina, vel pondera debitorum, arceantur: nec ante suscipiantur, quam debita universa reddiderint, vel fuerint innocentia demonstrata purgati.

[18] Cod. Theod. lib. 9. Tit. 45. Leg. 1. Publicos debitores, si confugiendum ad ecclesias crediderint, aut illico extrahi de latebris oportebit, aut pro his ipsos, qui eos occultare probantur, episcopos exigi. Vid. Leg. 3. ibid.

[19] Aug. Ep. 215.

[20] Conc. Eliber. can. 54. Si qui parentes fidem fregerint sponsaliorum, triennii tempore abstineant se a communione, &c.

[21] Vide Calvin. Lexicon. Jurid. voce Fines.

[22] Pithæus Annot. in Collat. Legum Mosaicar. et Roman. Tit. 13. Gothofred. Paratit. in Cod. Theod. lib. 2. de Finibus Regundis, Tit. 26.

[23] Cod. Theod. lib. 9. Tit. 1. de Accusation. lib. 1. Qui fines aliquos invaserit, publicis legibus subjugetur, neque super ejus nomine ad scientiam nostram referatur.

[24] Innoc. Ep. 8. ad Florentium.

the general name of oppression, and the ancient canons make it matter of excommunication. The fourth council of Carthage[25] has one canon forbidding the priests to receive any oblations from those that oppress the poor; and another,[26] appointing such as denied to the church the oblations of the dead, or refused to pay them without difficulty and trouble, to be excommunicated, as murderers of the poor. Agreeable to which is that of St. Chrysostom,[27] directing his clergy not to admit any cruel or unmerciful man to the Lord's table: Although it be a general, although it be a governor or consul, although it be he that wears the crown, prohibit him; thou, in this case, hast greater power than he. And again, inveighing against oppressors, who offered alms out of what they had violently taken from others, he says,[28] elegantly, That God will not have his altar covered with tears; Christ will not be fed with robbery, such sort of sustenance is most ungrateful to him; it is an affront to the Lord to offer unclean things to him, he had rather be neglected, and perish by famine, (in his poor members,) than live by such oblations. The one is cruelty, but the other is both cruelty and an affront likewise. It is better to give nothing, than to give that which of right belongs to other men. After the same manner St. Austin answers the plausible apologies of spoilers and oppressors. Their plea was, I make[29] feasts of charity, I send meat to them that are bound in prison, I clothe the naked, I entertain strangers. Do you imagine this is properly giving? Do not take from others, and then you may be said to give. He to whom you give, rejoices; but he from whom you take, laments; which of the two will God hear? You say to him to whom you give, Give thanks, because you have received. But he, on the other hand, from whom you have taken it says, I mourn: you keep almost the whole, and give a small portion to the other. If, therefore, you give to the poor what you take from others, God is not pleased with such works. God says to thee, Thou fool, I commanded thee to give, but not that which is another man's. If thou hast ought, give of that which is thine own: if thou hast not of thine own to give, it is better thou shouldst not give, than spoil some to give to others. He says in another place,[30] Some were so vain as to think, that a little alms before they died would effectually expiate all their sins, however wicked or rapacious they had been all their lives before; against whom he disputes accurately and sharply in several books,[31] which it would be needless here to cite at large. I only add, that, agreeable to these rules, the author of the Constitutions under the name of the Apostles, giving directions to bishops about the persons from whom they were to receive oblations at the altar, or refuse them, among many other criminals, orders them to reject those who afflict the widow and oppress[32] the fatherless by their power, and fill the prisons with innocent persons, and evil intreat their servants with stripes, famine, or hard bondage; and lay waste whole cities; all lawyers that plead for injustice or unrighteous causes; all unrighteous judges; all wicked publicans, and usurers, and soldiers that are false accusers, and not content with their wages, but oppress the poor.

Sect. 10. Of the exactions and bribery of judges.

And that this was agreeable to the common discipline of the church, will appear by examining the particulars. To begin with that which was the most flagitious and intolerable, the oppression committed by judges in their office, partly by cruel exactions, partly by feigned accusations, and partly by perversion of justice for the sake of bribery and filthy lucre: which sorts of oppression the law commonly terms, *Crimen repetundarum et peculatus.* For though *peculatus* often signifies robbing the public by private stealth, yet it sometimes also denotes the oppressions and injuries done by magistrates to the subject. In which case, the censures of the church were often inflicted upon oppressing governors. As we have a famous instance of Synesius[33] excommunicating Andronicus, the governor of Ptolemais, for his violent oppression of the people. The imperial laws were also very numerous and very severe in this case, to secure the rights and properties of the people from such violent invasion. They did not, indeed, allow the subject, for some time, to accuse the magistrate during the year of his administration: but Theodosius[34] took off even that restraint, and not only gave men liberty, but invited and encouraged men of all orders to bring informations against corrupt judges, if they had either suffered any violence from them themselves, or knew them to be

[25] Conc. Carth. 4. can. 94. Eorum, qui pauperes opprimunt, dona a sacerdotibus refutanda.

[26] Ibid. can. 95. Qui oblationes defunctorum aut negant ecclesiis, aut cum difficultate reddunt, tanquam egentium necatores excommunicentur.

[27] Chrys. Hom. 82. al. 83. in Matt. p. 705.

[28] Ibid. Hom. 86. al. 87. in Matt. p. 722.

[29] Aug. Hom. 19. ex 50. t. 10. p. 137. Agapes facio, vinctis in carcere victum mitto, nudos vestio, peregrinos suscipio. Dare te putas? &c.

[30] Aug. de Civ. Dei, lib. 21. cap. 22.

[31] Ibid. lib. 21. cap. 27. Et in Enchirid. cap. 75 et 76. Serm. 35. de Verbis Domini. Cont. Julian. Pelag. lib. 5. cap. 10. Vid. plura ap. Gratian. Caus. 14. Quæst. 5 et 6.

[32] Constit. lib. 4. cap. 6.

[33] Synes. Ep. 57. p. 172.

[34] Cod. Theod. lib. 9. Tit. 27. ad Legem Juliam Repetundarum, Leg. 6. Jubemus, hortamur, ut si quis a judice fuerit aliqua ratione concussus; si quis scit venalem de jure fuisse sententiam; si quis pœnam vel pretio remissam, vel vitio cupiditatis ingestam; si quis postremo quacunque de causa improbum judicem potuerit adprobare; is vel administrante eo, vel post administrationem depositam, in publicum prodeat, crimen deferat, delatum adprobet: cum probaverit, et victoriam reportaturus et gloriam.

guilty of bribery, or setting justice to sale, or any the like improbity: and that as well in the time of their administration as afterward; promising a reward to any that should make good such charges against them. The like encouragement was given by Constantine,[35] and Valentinian junior,[36] as appears by their laws now extant in the Theodosian Code. And whereas the punishment of such corruption in the magistrate was only a pecuniary mulct before, Theodosius[37] by a new law made it death, as thinking no punishment too great for such an offence. At Carthage they had a peculiar good custom, which tended much to discourage all such rapacious practices in their magistrates. For Prosper[38] tells us, That every year the new proconsul was used upon a certain day, which they called *albi citatio*, to read over a list of the governors that had been before him: and then they that had been just in their administration, and gone through their office without covetousness, or rapaciousness, or any such flagrant crimes, were honoured in their absence by the applauses of the people; but on the other hand, they whom covetousness had driven into scandalous measures of robbery and violence, were noted with marks of infamy by general hissings and reproaches.

Sect. 11. Of the exactions of publicans, and collectors of the public revenues, and other officers of the Roman empire.

The laws were equally severe against all super-exactors, as they are called, of the public revenues. The common burden of tribute and taxes was generally hard enough, even as settled by law in the Roman[39] government; but the illegal exactions of the publicans and collectors made it a much more intolerable burden. Therefore the laws were forced to restrain and chastise their oppressions with great severity. Constantine made several laws to this purpose,[40] condemning this crime as a capital offence, according to Gothofred's interpretation of severe punishment. Valentinian and Valens[41] obliged the exactor to make restitution fourfold to the injured party, and condemned the judge in the same quadruple sum, if he refused upon complaint to do him justice. But Arcadius, finding that this law of Valentinian did not effectually put a stop to these exorbitant demands, made it death for any exactor to go[42] beyond his bounds. And Honorius some years after joined both punishments together, ordering the exactor[43] to be put to death, and quadruple restitution to be made out of his estate to the injured person; laying a fine withal of thirty pounds of gold upon any judge that neglected to put the law in execution. Now, what the civil law so severely condemned, there is no question but that the ecclesiastical law punished in the spiritual way with equal severity, under the general name of oppression.

Sect. 12. Of the exactions of advocates, and lawyers, and apparitors of judges.

There was another cruel way of oppression under colour of law, much practised by advocates and lawyers, commonly called, *scholastici* and *defensores*, and the apparitors and officers of the civil courts, and attendants of judges. Their exactions, and extortions upon men's necessities, are frequently complained of, and provided against by several laws. The law allowed them certain stated wages, or canonical pensions, as the term is, for pleading and managing causes; but beyond these they often made no scruple to exact maintenance for themselves and their horses, wherever they came, in the city, or in mansions, without any pay; which super-exactions are particularly noted in advocates and officers by Constantius,[44] as instances of insatiable covetousness: and therefore he gives orders to judges to defend the people from such extortions, and not suffer their injuries and encroachments to go un

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[35] Cod. Theod. lib. 9. Tit. 1. de Accusationibus, Leg. 4.

[36] Ibid. lib. 9. Tit. 27. ad Legem Juliam Repetundarum, Leg. 7.

[37] Ibid. lib. 9. Tit. 28. de Crimine Peculatus, Leg. 1. Pridem fuerat constitutum, ut hi judices, qui peculatu provincias quassavissent, multæ dispendio subjacerent; sed quoniam nec condigna crimini ultio est, nec par pœna peccato, placuit——Capitale hoc esse, atque animadversione severissima coerceri.

[38] Prosper. de Promissionibus Dei, sive Gloria Sanctor. in Peroratione. In calculis eburneis nomina proconsulum conscripta, Carthagine in foro coram populo a præsenti judice sub certis vocabulis citabantur, et erat solennis dies, albi citatio. Hi qui avaritiam superantes, rempub. fideliter egerant absque flagitiis facinoribusque, etiam absentes honorabantur: eos vero, quos rapacitas vicerat, populus convidiis sibilisque notabat.

[39] Vid. Lipsium de Magnitudine Romana, lib. 2. cap. 1, 2, &c.

[40] Cod. Theod. lib. 8. Tit. 10. de Concussionibus Advocatorum, Leg. 1. Item, lib. 11. Tit. 1. de Annona et Tributis, Leg. 3. et lib. 11. Tit. 7. de Exactionibus, Leg. 1. et lib. 4. Tit. 12. de Vectigalibus, Leg. 1.

[41] Ibid. lib. 11. Tit. 16. de Extraordinariis, Leg. 11. Obnoxius quadrupli repetitione teneatur, &c.

[42] Cod. Theod. lib. 11. Tit. 8. de Superexactionibus, Leg. 1. Si quis exactorum superexactionis crimen fuerit confutatus, eandem pœnam subeat, quæ divi Valentiniani sanctione dudum fuerat definita: capitis namque periculo posthac cupiditas amovenda est, quæ prohibita totiens in iisdem sceleribus perseverat.

[43] Ibid. Tit. 7. de Exactionibus, Leg. 20. Si in concussione possessorum exactores fuerint deprehensi, illico et capitali periculo subjaceant, et direptorum quadrupli pœna ex eorum patrimonio eruetur, &c. Vid. ibid. Tit. 8. de Superexactionibus, Leg. 2 et 3. ejusdem Honorii. It. lib. 11. Tit. 26. de Discussoribus, Leg. 1, &c. Lib. 13. Tit. 11. de Censitoribus, Leg. 7 et 10. Et Valentiniani III. Novel. 7. de Indulgentiis reliquorum.

[44] Ibid. lib. 8. Tit. 10. de Concussionibus Advocatorum et Apparitorum, Leg. 2. Præter solennes et canonicas pensitationes, multa a provincialibus Afris indignissime postulantur ab officialibus et scholasticis, non modo in civitatibus singulis, sed et mansionibus: dum ipsis et animalibus eorundem alimoniæ sine pretio ministrantur, &c. Provinciales itaque cuncti judices tueantur, nec injurias inultas transire permittant.

punished. Constantine reflects[45] upon the like extortion of advocates in making wicked bargains with their clients, to make over to them the best of their lands, their cattle, and their slaves; which he calls spoiling and pillaging those that stood in need of their patronage; and orders, that such rapacious vultures, as Gothofred terms them, should be expelled the court, and never after be allowed the liberty of pleading. Another way, whereby wicked advocates were wont to oppress the poor, was, by encouraging their clients to draw their adversaries in a civil cause from the cognizance of the ordinary judges to a military tribunal, where they had more liberty by bribery, and other corrupt practices, to oppress them. Great complaints are made by Ammianus[46] Marcellinus of this sort of depredation made upon the poor in the time of Valens, who, he says, opened the doors to robbery, which gained strength every day by the pravity of the judges and advocates, who sold the causes of poor men to the rulers in the army, or such as bore sway in the palace, by which means they increased their wealth, or brought themselves to preferment. To correct this abuse, Arcadius made a law,[47] That whoever transferred a civil cause from the ordinary judges to a military court, should be liable to banishment, besides other penalties inflicted by former laws; and the advocate concerned in such a cause, should forfeit ten pounds of gold, except they had a special licence from the emperor for such a removal. Valentinian III. added to this, That the advocate should lose his office,[48] and the counsellor be banished also. And there were many other laws made by Theodosius, Valentinian junior, and Marcian, to the same purpose, which the curious reader may find in Gothofred upon the forementioned law of Arcadius. It is true, the ecclesiastical law does not particularly specify these things; but we may suppose, they, being great crimes, were included in the general notion of illegal oppression, which was thought to deserve ecclesiastical censure.

Sect. 13. Of griping usury and extortion.

But there is one sort of oppression, which the laws of the church more particularly take notice of, and condemn both in the clergy and laity, that is, griping usury or extortion upon the poor. The nature of usury, and the several degrees of it, I have had occasion already to explain[49] in a former Book: all therefore I shall here take notice of is, the censures of the church passed upon all that were guilty of what they reckoned cruel and criminal in it. The council of Eliberis not only orders the clergy to be degraded, who were found guilty of taking usury, but threatens[50] excommunication to every layman, that after admonition persisted in the practice of it. And the first council of[51] Carthage gives this reason why clergymen should not practise it, because it was a thing that was culpable in laymen. And the reason why it was so generally condemned by the ancients even in laymen, was, because it was generally a great oppression of the poor, to whom the charity of lending without usury was due; and many times it was attended with extortion, as in the centesimal interest, which was twelve in the hundred; and what they called *hemiolia*, which was receiving half as much more as the principal by way of interest, both which were condemned by the laws of the state as illegal exactions and downright extortion. Upon which bottom all the arguments and invectives of the ancients are founded. So that usury in this sense was reckoned a plain robbery of the poor, and a cruel oppression of those to whom mercy and charity ought to be showed upon all occasions. And to this we may join all extortion made by force or fear, which the civil law condemns and annuls,[52] though a covenant or promise had been obtained of the injured party.

Sect. 14. Of forgery.

The last sort of robbery was that which was committed by fraud and deceit, which the law calls *dolus malus*, and *stellionatus*, from *stellio*, that little animal with shining spots like stars, the lizard, or *tarantula*, of which naturalists[53] observe, That there is no animal which more fraudulently envies man than this: for changing his skin every year, which was reckoned a sovereign remedy against the falling-sickness, he devours it himself, lest men should have the benefit of it: whence the lawyers call all imposture and

[45] Cod. Theod. lib. 2. Tit. 10. de Postulando, Leg. 1. Advocatos, qui consceleratis depectionibus suæ opis egentes spoliant atque denudant, non jure causæ, sed fundorum, pecorum et mancipiorum qualitate rationeque tractata, dum eorum præcipua poscunt coacta sibi pactione transcribi, ab honestorum cœtu, judiciorumque conspectu segregari præcipimus. Vid. Cod. Justin. lib. 2. Tit. 6. de Postulando, Leg. 5.

[46] Ammian. lib. 30. p. 448. Laxavit rapinarum fores, quæ roborantur indies judicum advocatorumque pravitate, qui tenuiorum negotia militaris rei rectoribus, vel intra palatium validis venditantes, aut opes, aut honores quæsivere præclaros.

[47] Cod. Theod. lib. 2. Tit. 1. de Jurisdictione, Leg. 9. Si quis, neglectis judicibus ordinariis, sine cœlesti oraculo, causam civilem ad militare judicium crediderit deferendam, præter pœnas ante promulgatas, intelligat se deportationis sortem excepturum. Nihilominus et advocatum ejus decem libris auri condemnatione feriendum.

[48] Valentin. Novel. de Episcopali Judicio, Tit. 12. Causidicum officii amissio, jurisconsultum existimationis et interdictæ civitatis damna percellant.

[49] Book VI. chap. 2. sect. 6.

[50] Conc. Eliber. can. 20. Si quis etiam laicus accepisse probatur usuras, si in ea iniquitate duraverit, ab ecclesia sciat se esse projiciendum.

[51] Conc. Carth. 1. can. 13. Quod in laicis reprehenditur, id multo magis in clericis oportet prædamnari.

[52] Cod. Theod. lib. 2. Tit. 9. de Pactis, Leg. 4. Pacta, quidem, per vim et metum apud omnes satis constat cassata viribus respuenda.

[53] Plin. lib. 30. cap. 10. Nullum animal fraudulentius invidere homini tradunt: inde stellionum nomen aiunt in maledictum translatum, &c.

fraud, which has no special title in law, by the name of *stellionatus*,[54] as Ulpian explains it: thus if a man mortgage or pawn that which is already engaged, fraudulently dissembling the former obligation; or pass it away in exchange, or pretend to pay debts with it, when it is under a pre-engagement; all such frauds are called *stellionatus*. So if a man change the wares which he has sold, or corrupt them, or direct them to another use after he has pawned them; or if he used any collusion or imposture to compass the death of any man; this was reckoned a fraud of the same nature. If, in giving a pawn, he substituted brass in the room of gold; if he sold a freeman under the notion of a slave; if he received a sum of money as a debt, that was really paid him before; he was liable to be punished upon an action of fraud upon the same[55] title: and for his crime, if he was a plebeian, he might be condemned to the mines; if a person of quality, he might be sent into banishment, or be degraded. The instances of such frauds and collusions are too many and intricate to be here particularly recounted, but the chief of them may be summed up under these five titles, forgery, calumny, flattery, deceitfulness in trust, and deceitfulness in traffic.

Forgery may be committed either in counterfeiting coin, to impose upon the unskilful and unwary; or else in counterfeiting deeds and instruments, to lay claim to other men's estates, as is done by those who make a title upon false wills or bonds, or conceal or corrupt the true ones. The counterfeiting of the coin was not only an injury to private men in commerce, but also an act of treason against the supreme powers; and therefore punished as a capital offence, with confiscation, banishment, or death, and that sometimes of the cruellest sort, burning alive, as appears from several laws in the Theodosian Code[56] made upon this occasion. Particularly Constantine[57] in one of his laws orders such to be put to the sword, or burnt alive, or to be punished with some such violent death, whether they were guilty of clipping the coin and diminishing its quantity, or adulterating its quality, and vending it as good by manifest fraud and imposture. And what the law punished thus severely in the state, there is no question but that it was with equal severity in the spiritual way censured, and condemned as a fraud and robbery by the church. The counterfeiting of false deeds, and especially false wills, was esteemed a heinous crime even by the old Roman laws, of which there is a whole title[58] in the Pandects; one of which, related by the famous lawyer Julius Paulus, says,[59] Whoever conceals a will, or conveys it away, or destroys it, or puts another in its room, or cancels it; or whoever writes, or signs, or fraudulently produces a false will, is liable to be punished upon an action of forgery by the Cornelian law. And that punishment is either banishment, or[60] confiscation, or death, according to the quality of the offender. And by the laws of Constantine[61] the same punishments of banishment and death were awarded to this sort of forgery. And though the ecclesiastical laws do not particularly specify the punishment of this crime, yet they must be supposed to comprehend it under the general title of theft and robbery, which made men liable to ecclesiastical censure.

Sect. 15. Of calumny with regard to men's estates and fortunes; and its reverse, the fraud of flattery.

Another sort of fraud that might be committed against men, in order to rob them of their estates and fortunes, was impeaching them of feigned crimes by false accusation and calumny. This sometimes affected men's lives, and then it was a species of murder, and punished under that denomination, as has been showed before. Sometimes it affected their fame and reputation, and as such it will be considered hereafter. In this place we take it only as affecting men's estates and fortunes, and as an intention by fraud to rob them of their property and possessions. In which sense the law sometimes takes calumny and false accusation as a species of theft and robbery, and proscribes it under that title. As appears from that law of Valentinian and Gratian in the Theodosian Code,[62] which joins these three sorts of calumny to-

[54] Digest. lib. 47. Tit. 20. Stellionatus, Leg. 3. Ubicunque titulus criminis deficit, illic stellionatus objiciemus. Maxime autem in his locum habet, si quis forte rem alii obligatam, dissimulata obligatione, per calliditatem alii distraxerit, vel permutaverit, vel in solutum dederit, &c.

[55] Vid. Calvin. Lexicon Juridicum, voce Stellionatus.

[56] Cod. Theod. lib. 9. Tit. 21. de Falsa Moneta, Leg. 1, 2, 3, 5, 6.

[57] Ibid. Tit. 22. Si quis solidi circulum inciderit, vel adulteratum in vendendo subjecerit, Leg. 1. Aut capite puniri debet, aut flammis tradi, vel alia pœna mortifera. Quod ille etiam patietur, qui mensuram circuli exterioris adraserit, ut ponderis minuat quantitatem: vel figuratum solidum adultera imitatione in vendendo subjecerit. Vid. Digest. lib. 13. Tit. 7. de Pignoratitia Actione, Leg. 1 et 16.

[58] Digest. lib. 48. Tit. 10. de Lege Cornelia de Falsis.

[59] Paulus, ibid. Leg. 2. Qui testamentum amoverit, celaverit, eripuerit, deleverit, interleverit, subjecerit, resignaverit: quive testamentum falsum scripserit, signaverit, recitaverit dolo malo, cujusve dolo malo id factum fuerit, legis Corneliæ pœna damnatur.

[60] Ibid. Leg. 1. n. 13. Pœna falsi, vel quasi falsi, deportatio est, et omnium bonorum publicatio: et si servus eorum aliquid admiserit, ultimo supplicio adfici jubetur.

[61] Cod. Theod. lib. 9. Tit. 19. ad Legem Corneliam de Falso, Leg. 1 et 2. Capitali post probationem supplicio (si id exigat magnitudo commissi) vel deportatione ei, qui falsum commiserit, imminente. Vid. Cod. Justin. lib. 10. Tit. 13. de his qui se deferunt, Leg. 1. Occultator gestorum in insulam deportetur, &c.

[62] Cod. Theod. lib. 9. Tit. 1. de Accusationibus, Leg. 11. Qui alterius famam, fortunas, caput denique et sanguinem in judicium devocaverit, sciat, sibi impendere congruam pœnam, si quod intenderit, non probaverit.

gether, viz. against men's fame and reputation, against their fortunes, and against their lives; ordering, that whoever impleaded another upon any of these three heads, should undergo the same penalty as he intended to bring upon the party he impeached, if he proved to be a false accuser, and did not fairly make out his action. Against such calumniators, fraudulent informers, and false accusers, (whose chief aim was in a plausible way, and under pretence of legal process, to come at other men's estates,) there are two [63] or three whole titles more in the Theodosian Code, where such accusers and impeachers are called the bane of human life, and the common pest of mankind; and they are ordered to be prosecuted to the last degree with confiscation and death. The ecclesiastical law also enjoins them a severe penance. By a canon of the council of Eliberis,[64] "He that bears false witness against another to the loss of his life or liberty, is not to be received to communion even at his last hour." And if it was in a lighter cause, as in a pecuniary matter or the like, he was to do penance for five years, before he was reconciled and perfectly restored to the peace of the church. St. Austin[65] also reckons this sort of calumny among the species of robbery and oppression. And the author of the Constitutions,[66] giving directions to the bishop what sort of persons he should reject from the communion, among others mentions soldiers who are false accusers, and not content with their wages, but oppress the poor.

Adulation and flattery is the reverse of calumny, and yet by this means some made a shift by fraudulent arts to get themselves made heirs to dying persons, to the prejudice of those who had a more just and real title. To prevent which sort of fraud, Valentinian made a law,[67] That no ecclesiastical person or ascetic (for the fraud was chiefly committed by them) should clancularly resort to the houses of dying widows or orphans, to get their estates or any legacies to be settled upon them; which if they did, they were liable to be prosecuted at law by the deceased parties' next relations: they were to enjoy nothing that they had so fraudulently obtained, under pretence of religion, from any such persons, either by way of donation and gift, or last will and testament; but the legal heirs might make their claim, and set aside all such legacies; or otherwise they were to be confiscated to the public. There are two laws of Theodosius[68] also much to the same purpose. And the fathers are so far from complaining of the seeming hardship of these laws, that they rather complain of the fraud, and avarice, and rapaciousness of those who gave occasion to these pious emperors to make such laws against them. St. Ambrose[69] says, Such men were guilty of violence, and invasion of the rights of others; they made a greater prey of widows by their blandishments and flatteries, than others did by torments: but it was all one before God, whether a man seized the substance of others by force, or by circumvention, so long as he detained what of right belonged to other men. In like manner St. Jerom: I am ashamed to say,[70] that the idol-priests, and stage-players, and horse-racers, and harlots, may be left heirs, whilst clerks and monks only are prohibited by this law; and that not by persecuting tyrants, but Christian princes. Neither do I complain of the law, but it grieves me to think we should deserve such a law. The caution of the law is provident and severe, and yet our covetousness is not restrained thereby. We evade the laws by feoffments in trust; and, as if the edicts of emperors were greater than those of Christ, we are afraid of their laws, whilst we contemn the gospel's. It is evident, by these complaints made by these holy fathers, that this fraudulent way of catching at the estates of widows by fawning arts and assentation, (whence these flattering hypocrites were commonly called *hæredipetæ*, and *captatores*,) was esteemed no less a theft than that which was committed by open violence and oppression. This was a scandalous

[63] Cod. Theod. lib. 9. Tit. 39. de Calumniatoribus. It. lib. 10. Tit. 10. de Petitionibus et Delatoribus, Leg. 1, 2, 3, 10, 33, &c. Et Tit. 12. si vagum petatur mancipium.

[64] Conc. Eliber. can. 73. Delator si quis extiterit fidelis, et per delationem ejus aliquis fuerit proscriptus vel interfectus, placuit eum nec in fine accipere communionem. Si levior causa fuerit, intra quinquennium accipere poterit communionem.

[65] Aug. Ep. 54. ad Macedon.

[66] Const. lib. 4. cap. 6.

[67] Cod. Theod. lib. 16. Tit. 2. de Episc. et Clericis, Leg. 20. Ecclesiastici, aut ex ecclesiasticis, vel qui continentium se volunt nomine nuncupari, viduarum ac pupillarum domos non adeant: sed publicis exterminentur judiciis, si posthac eos affines earum vel propinqui putaverint deferendos. Censemus etiam, ut memorati nihil de ejus mulieris, qui se privatim sub prætextu religionis adjunxerint, liberalitate quacunque, vel extremo judicio possint adipisci, &c. Vid. Leg. 21. ibid.

[68] Ibid. Leg. 27 et 28.

[69] Ambros. Ser. 7. de Clericis, p. 232. Nemo nos invasionis arguit, violentiæ nullus accusat? Quasi non interdum majorem prædam a viduis blandimenta eliciant, quam tormenta: non interest apud Deum, utrum vi an circumventione quis res alienas occupet, dummodo quoquo pacto tenet alienum. Vid. Librum cont. Symmachum.

[70] Hieron. Ep. 2. ad Nepotianum. Pudet dicere, sacerdotes idolorum, mimi, et aurigæ, et scorta hæreditates capiunt; solis clericis ac monachis hac lege prohibetur: et non prohibetur a persecutoribus, sed a principibus Christianis. Nec de lege conqueror, sed doleo cur meruerimus hanc legem.——Provida severaque legis cautio: et tamen nec sic refrænatur avaritia. Per fidei commissa legibus illudimus: et quasi majora sint imperatorum scita, quam Christi, leges timemus, et evangelia contemnimus. Vid. Ep. 3. ad Nepotian. et Ep. 22. ad Eustoch. It. Leo et Majorian. Novel. 8. Insidiosa munuscula diriguntur, subornantur medici, qui prava persuadeant, &c.

sort of theft even among the heathens; Juvenal[71] often spends his satirical wit upon it; and so does Martial, and Seneca, and Pliny, and Lucian,[72] and many others. Which makes it less wonder, that the Christian laws should proscribe it, and the fathers so sharply inveigh against it, even when it looked like a means of augmenting the revenues of the church. But that shows the purity of the ancient discipline, that they would not spare a crime that could appear with so fine an aspect; being utter enemies to all scandalous and disreputable ways of increasing the clerical maintenance, as I have had occasion to show in several instances, in speaking more particularly of the revenues of the church.

Sect. 16. Of deceitfulness in trust.

Another sort of fraud is committed in matters of trust, as when a steward or servant embezzles his master's goods, or makes fraudulent and injurious bargains for him; or when a guardian or tutor, who is intrusted with the execution of a dead man's will, acts an unfaithful part, and enriches himself out of what was designed for the maintenance of others; or when a man denies, or conceals, or refuses to restore any thing that was deposited with him, and committed to his trust. The ancients were extremely conscientious in this last instance of things committed to their trust; insomuch as that Pliny himself can inform us, That it was one part of their solemn business every Lord's day to bind themselves with a sacrament, or an oath, not to commit any wickedness, theft,[73] robbery, adultery; not to falsify their word; not to deny any thing wherewith they were intrusted, when they were required to deliver it up again. And therefore we may reasonably conclude, that no one was thought qualified for communion in such a society who was guilty of breach of faith in any such trust, which was both against the laws of common justice, and his own solemn engagement. Some trusts were of a more sacred nature, being designed for the service of God and the poor; and unfaithfulness in such trusts was therefore reckoned a double and a triple crime, because it added, as it were, murder and sacrilege to the injustice. Upon this account the fourth council of Carthage[74] calls those who endeavour to defraud the church of such legacies or oblations as were left her by the dead, murderers of the poor; because their robbing the church of that which was given for the maintenance of the poor, was, in effect, to starve and famish the poor: and for such fraud and cruelty they are subjected to the censure of excommunication. Among the epistles of Cyprian there is a letter of Cornelius, bishop of Rome,[75] to Cyprian, giving him an account of one Nicostratus, a deacon, whom he charges with this sort of fraud; for he had not only cheated his temporal patroness, whose affairs he managed, but had carried away a great part of the revenues of the church, which was intrusted with him as archdeacon for the maintenance of poor widows and orphans, for which crime he was forced to fly from Rome for fear of being called to give an account of his rapine and sacrilege. And Cyprian himself, in another epistle,[76] giving an account to Cornelius of the wickedness of Novatus, says, he had defrauded the widows and orphans, and denied the church's revenues which were intrusted with him; for which, and many other crimes, as starving his own father, and causing his wife by a sudden blow to miscarry, he had certainly been removed not only from his seat in the presbytery, but from all communion with the church, had not the approach of a fierce persecution put a stop to his trial and condemnation. By which it appears, that there was no crime more heinously resented than this of unfaithfulness in trust, nor any more severely pursued and punished by the censures of the church.

Sect. 17. Of deceitfulness in traffic.

The last sort of fraud is that which is committed in traffic and commerce between buyer and seller. The buyer may be guilty either in taking advantage of the ignorance of the seller, when he knows not the true value of his own goods; or in taking advantage of his necessity, when his poverty compels him to sell at an under-rate; or in paying him in false and corrupt coin, which is the same thing as defrauding him in the original contract. This last sort of fraud was severely punished by the Roman laws, both heathen and Christian. For the vender, as well as the forger of false coin, is condemned in all the penalties of fraud recounted in the Pandects.[77] And Constantine made it a capital crime,[78] not only for any one to adulterate, or clip, or diminish the coin, but also to pass any such away, knowingly, in payment to others, to put a wilful cheat upon them. And though this be not expressly and particularly specified in the ecclesiastical law, yet,

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[71] Juvenal. Sat. 5. ver. 98. Sat. 6. ver. 40. Sat. 10. 202.

[72] Vid. Calvin. Lexicon Juridicum, voce Captare.

[73] Plin. lib. 10. Ep. 97. Seque sacramento non in scelus aliquod obstringere, sed ne furta, ne latrocinia, ne adulteria committerent, ne fidem fallerent, ne depositum appellati abnegarent.

[74] Conc. Carth. 4. can. 95. Qui oblationes defunctorum aut negant ecclesiis, aut cum difficultate reddunt, tanquam egentium necatores, excommunicentur.

[75] Ap. Cypr. Ep. 48. al. 50.

[76] Cypr. Ep. 49. al. 52. ad Cornel. p. 97.

[77] Digest. lib. 13. Tit. 7. de Pignoratitia Actione, Leg. 1 et 16. Lib. 48. Tit. 10. ad Legem Corneliam de Falso, Leg. 9.

[78] Cod. Theod. lib. 9. Tit. 22. Si quis solidi circulum inciderit, vel adulteratum in vendendo subjecerit, Leg. 1. Capite puniri debet, aut flammis tradi, vel alia pœna mortifera, si quis mensuram circuli exterioris adraserit, vel figuratum solidum adultera imitatione in vendendo subjecerit.

being a principal fraud, it must be comprehended under the general title of frauds, which came under the cognizance of the spiritual jurisdiction. For fraud was always reckoned a crime of the first magnitude; St. Austin[79] puts it in the same class with murder, adultery, fornication, theft, and sacrilege; and Tertullian joins it[80] with the great sins of blasphemy, idolatry, apostacy, murder, and adultery, which defile the temple of God, and unqualify men for Christian communion. As to the buyer's overreaching the seller by taking advantage of his ignorance or unskilfulness in the just value of his commodity, this being a thing not easy to be discovered or proved, it may be supposed to be a fraud rather left to his own conscience, than ordinarily brought under public discipline. Yet, certain it is, a conscientious man will not load his soul even with this guilt. St. Austin[81] gives a rare instance of singular justice in this case. He says, he knew a man, who, having a book offered him to be sold at an under-rate, by one who understood not the true value of it, gave him the just price of it, surprising him by an uncommon generosity and equity, which allows no man to take advantage of another's ignorance, though it be against the general maxim of the world, which loves to buy cheap and sell dear, (as the mimic said, when he undertook to divine and tell all men their wishes,) whatever evil consequences may attend it.

On the other hand, fraud may be committed also by the seller, and that several ways; either by overrating the commodity to the ignorant and necessitous buyer, which is also extortion and oppression; or by vending corrupt wares, which are not really and truly what they are said or appear to be, which is a fraud in the quality; or by using false weights and measures, which is a fraud in the quantity of the thing contracted for, and which is commonly branded with this note in Scripture, That it "is an abomination to the Lord." The old Roman[82] laws were exceeding careful about this matter of just weights and measures. The ediles were obliged to examine them; the standards of both were religiously kept in the capitol; and thence, afterward in Christian times, they were removed and placed under the custody of bishops in the churches, as appears from Justinian's Pragmatic Sanction,[83] and one of his Novels to this purpose.[84] Every city, and mansion, or place of custom, had likewise their public standards, as well to prevent the frauds of the exactors of tribute, as those of others in private contracts one with another. To which purpose there are several laws of Theodosius,[85] and Honorius,[86] and Valentinian III.,[87] and Majorian,[88] in the Theodosian Code. And very severe and capital punishments are there appointed for all such as were found guilty of fraud in altering or corrupting the public standard. The church has not many particular laws about this in her discipline; but it being a flagrant crime in the eye of the state, we may presume she punished offenders in this kind by the general laws against fraud, without specifying all particular cases. The author of the Constitutions[89] gives a general rule about this matter, when he orders the bishop to reject the oblations of all such as were noted by the common name of *ῥαδιουργοὶ*, fraudulent dealers; and he more particularly marks the *δολομέτραι*, those that used fraud in measures, and the *ζυγοκροῦσται*, that is, such as, though they did not use false weights and balances of deceit, yet used a more sly art and fraud, in giving a turn to the scale with their fingers, to gain that by artifice and sleight of hand in weighing, which they durst not venture to do by false weights. Constantine also takes notice of this fraud in one of his laws,[90] where he forbids the receivers of tribute to use any art with their fingers to press down the scale, but to be exact in poising the libration, that no one might complain of any injustice done him. And it is observable, that Julian,[91] to prevent such frauds in weighing, appointed a standing officer in every city, (whom he calls by a Greek name, *zygostates*, that is, the public weigher, or supervisor of the scale,) who was to determine all controversies arising about weight between buyer and seller, and put an end to them, by examining what was suspected by the public standard. And the care of a heathen emperor to correct frauds and abuses of this nature, made it more reasonable for the church to look into them, and bring delinquents of this kind under penance by the power of ecclesiastical censure.

The author of the Constitutions likewise takes notice of the other sort of fraud, which may be committed in traffic by dissembling the ill qualities

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79 Aug. Tract. 41. in Joan. t. 9. p. 126.

80 Tertul. de Pudicit. cap. 19. Cont. Marc. lib. 4. cap. 9.

81 Aug. de Trinit. lib. 13. cap. 3.

82 Vid. Digest. lib. 48. Tit. 10. ad Legem Corneliam de Falso, Leg. 32.

83 Justin. Pragmat. Sanct. cap. 19.

84 Justin. Novel. 128. cap. 15.

85 Cod. Theod. lib. 12. Tit. 6. de Susceptoribus, Leg. 19. In singulis stationibus et mensuræ et pondera publice conlocentur, ut fraudare cupientibus fraudandi adimant potestatem. It. Leg. 21.

86 Ibid. lib. 11. Tit. 8. de Superexactionibus, Leg. 3.

87 Ibid. lib. 12. Tit. 6. de Susceptor. Leg. 32. It. Novel. Valentin. et Theodos. 25. de Pretio Solidi.

88 Majorian. Novel. 1. Vid. Sidon. Apollinar. lib. 5. Ep. 7. et Cassiodor. lib. 5. Ep. 39. lib. 11. Ep. 16.

89 Constit. lib. 4. c. 6.

90 Cod. Theod. lib. 12. Tit. 7. de Ponderatoribus, Leg. 1. Aurum quod infertur, æqua lance et libramentis paribus suscipiatur: nec pondera deprimant, &c.

91 Ibid. Leg. 2. Placet, quem sermo Græcus appellat, per singulas civitates, constitui zygostaten, ut ad ejus arbitrium atque ad ejus fidem, si qua inter vendentem emptoremque in solidis exorta fuerit contentio, dirimatur.

of things, and vending corrupt wares under the notion and appearance of that which is perfect and good. As when a man puts off brass for gold, or a mixture of water or other liquor for pure wine. Therefore in his directions to the bishop, whose oblations he shall receive and whose refuse at the altar, he says, In the first place he shall reject those whom the Greeks call *κάπηλοι*, and the Latins, *caupones;* by which he does not mean victuallers strictly, or merchants or tradesmen in general, though the words be so sometimes taken; but fraudulent hucksters, who corrupt and adulterate their wares, to make the greater gain and advantage of them. As appears from that passage, which, according to the Septuagint, he quotes out of Isaiah, i. 22, *Οἱ κάπηλοί σου μίσγουσι τὸν οἶνον τῷ ὕδατι,* "Thy hucksters mingle wine with water." Lactantius[92] argues this point acutely against Carneades, the heathen philosopher, who taught, that if a man has a fugitive slave, or an infected and pestilential house, which he sets to sale, he is bound in prudence not to discover their faults; because if he does, he shall either sell them for little, or not at all. Which he calls poisonous doctrine, and shows it at large to be both against the rules of Christian justice and prudence also. For nothing can be more valuable to a man than keeping innocence and a good conscience. Upon this account St. Hilary says,[93] Whoever either designs or commits fornication, or murder, or theft, or fraud, or rapine, makes his body a den of thieves. Some of the ancients indeed[94] are a little more severe against negociating in any trade, except a manual art, for gain, because of the danger of fraud, that sticks so close between buying and selling: but Pope Leo[95] more favourably distinguishes between honest and filthy gain, and says, The quality of the gain either excuses or condemns the tradesman. So that it was not all trade and merchandise that they condemned as simply unlawful in itself, but only when it was accompanied with such fraudulent practices, as made it an unconscionable gain, and no better than a plausible theft, and more artificial way of robbery.

The last sort of fraud in the seller is committed by overrating his commodity; which is done either by monopolizers, when a single man, or a body of men, get the sole power and propriety of any commodity into their own hands, and set what arbitrary price they please upon it; or when the seller takes the advantage of the ignorance or necessity of the buyer to enhance his price, and make a gain of his weakness, his poverty, or his indiscretion. Against the fraud of monopolizers, there is a famous law of the emperor Zeno[96] in the Justinian Code, where he first forbids any single man to monopolize any wares, under the penalty of confiscation of all his goods, and perpetual banishment of his person; and then proceeds to inhibit any body of men to combine in any unlawful contract not to sell their goods but at a certain rate, under the penalty of forfeiting forty pounds of gold: he likewise prohibits all artificers and workmen from combining among themselves, That if any one undertook a work for another man, and left it unfinished, no one of the same occupation should meddle with it to finish it without the consent of the first undertaker: which was an art of raising their labour to what arbitrary price they were pleased to set upon it. To obviate which fraud, and the difficulty which honest men thereby lay under, he dissolved all such unlawful contracts and combinations, and left men at perfect liberty, when they were deserted by one workman, to employ another, without any fear or molestation arising from the pretence of any pre-engagement.

The other way of enhancing the price, by the seller's taking advantage of the buyer's ignorance or indiscretion, is what no laws could well provide against in all cases: and therefore it was rather left to the equity and conscience of men, to be examined and judged by the Divine law, than brought under any certain rules of human judgment. However, being a species of fraud, and extortion, and oppression, it is probable the governors of the church took occasion in many notorious cases to condemn it under the general title of *ῥᾳδιουργία*, that base craft, and gain that is gotten by imposture in any kind, for which the bishop in the Constitutions[97] is required to debar men from making their oblations at the altar.

And to this head may be reduced the selling of that to which the seller himself has no just title; as the selling of fugitive slaves belonging to another master, which the law forbids,[98] both because it is a sort of plagiary in the seller, and an imposition upon the buyer, and an encouragement to the slaves to rob and pillage, and desert their proper masters. Such is also the selling things of no real worth but a mere fraud and imposture; as, the taking money for calculating nativities, and telling of fortunes, and divining for things lost, and many the like vain practices, which the canons condemn,[99] not only as

[92] Lact. lib. 5. cap. 17 et 18.

[93] Hilar. in Psal. cxviii. 139. p. 278. Corpora, cum cogitamus aut agimus stupra, cædes, furta, falsitates, rapinas, speluncam latronum constituimus.

[94] Vid. Tertul. de Idol. cap. 11. Epiphan. Expos. Fid. n. 24. Auctor operis imperfecti in Mat. xxi. 12.

[95] Leo, Ep. 92. ad Rustic. cap. 9. Qualitas lucri negociantem aut excusat, aut arguit: quia est honestus quæstus aut turpis.

[96] Cod. Justin. lib. 4. Tit. 59. de Monopoliis, Leg. 1. Si quis monopolium ausus fuerit exercere, bonis propriis exspoliatus, perpetuitate damnetur exilii, &c.

[97] Constit. lib. 4. cap. 6.

[98] Cod. Justin. lib. 9. Tit. 20. ad Legem Fabiam de Plagiar. Leg. 6.

[99] Conc. Trul. can. 61.

curious and superstitious arts, but as fraudulent and cheating tricks, imposing upon men by cozenage and imposture. All which, and a thousand other ways of pillaging, oppressing, and defrauding, the church in her discipline censured as direct methods of committing theft and robbery.

Sect. 18. Of abetting and concealing robbers; and buying stolen goods, &c.

But besides the direct ways of committing this sin, there were several other base and disallowable practices, which virtually and by just construction might be interpreted theft: as the harbouring, abetting, and concealing robbers; buying of stolen goods; leading an idle life without any lawful vocation; spending in prodigality or unlawful gaming that which was designed for the maintenance of others. All which either the laws of church or state censured, as so many indirect ways of encouraging or committing robbery. The laws of the state laid a severe penalty upon all that sheltered any criminals in any kind whatsoever. Valentinian in one law condemns them as associates [100] with the criminals, and makes them liable to the same punishment. In another [101] law, he particularly condemns such as harbour robbers and screen them from public justice; making them liable either to corporal punishment, or confiscation of all their goods, according to the quality of their persons. And if any agent or steward sheltered them without his lord's knowledge, he was to be burnt alive. There is another law of Marcian to the same effect in the Justinian [102] Code, showing how men are to be treated who entertain robbers, and use force to protect and defend them.

They who bought stolen goods, knowing them to be such, were also deemed guilty of partaking in the theft, because this was an encouragement to robbers, and a sort of approbation of them. St. Austin [103] and St. Chrysostom [104] make this remark upon those words of the psalmist, "When thou sawest a thief, thou consentedst unto him," That to show a liking to the thief, is the same thing as committing the robbery. And certainly none can show a greater liking to him, than he who for a little filthy lucre gives encouragement to him by trafficking and negociating with him, as some critics observe the Arabic translation literally renders the phrase of the psalmist. There is but one case in which the casuists allow men to buy of a known thief, and that is, when he can do it for a small matter with an intent to restore what is stolen to the true owner. For in that case he intends not the encouragement of the thief, but the interest and advantage of the just proprietor. And for this they allege [105] the known rules of the civil law. But in all other cases to negociate with thieves is to partake in their sin, and to encourage and strengthen them in their subsequent villanies. Therefore this and all other ways of partaking and co-operating with thieves, (of which there are various methods noted and summed up by the doctors [106] in the schools,[107]) were anciently computed in the general account of theft and fraud, and accordingly punished with ecclesiastical censure.

Sect. 19. Idleness censured as the mother of robbery.

Neither was it only the associating and partaking with robbers which they thus condemned, but all such unlawful vocations, or rather want of vocation, as put men in a manner upon the necessity of stealing, and having recourse to fraud and violence, as the only support of a dissolute life. Idleness they esteemed the mother and nurse of theft, and a life without employment as no better than that of a common robber: because men of that character were only *fruges consumere nati*, born to devour that which of right belonged to others. Therefore the laws both of church and state are very severe against all such. There is a law of Valentinian junior in the Theodosian Code [108] against young, stout, lusty beggars, who being slaves or freedmen able to work, yet fled from their masters to Rome, to skulk in corners, and live as drones upon false charity: whom he orders to be examined, and if they were found able to work, they should either become the possession of the informer who discovered them, or be returned to their original masters, who had a good action in law against any who either harboured such fugitives, or by their counsels instigated them to desertion. Justinian inserted this law into his Code [109] likewise, and set forth a new edict of his own to the same purpose. The church also was very careful in this matter, not to suffer stout, idle, wandering beggars to devour the revenues of those that were really infirm and poor. Upon this account she forbade any of her clergy to rove about the world, or wander from one diocese to another without letters dimissory, as some did

[100] Cod. Th. lib. 9. Tit. 29. Leg. 1. Eos qui secum alieni criminis reos occulendo sociarunt, par atque ipsos reos pœna expectet.

[101] Ibid. Leg. 2. Latrones quisquis sciens susceperit, vel offerre judiciis supersederit, supplicio corporali aut dispendio facultatum, pro qualitate personæ ex judicis æstimatione, plectatur. Si vero actor, sive procurator, domino ignorante, occultaverit, et judici offerre neglexerit, flammis ultricibus concremetur.

[102] Vid. Cod. Justin. lib. 9. Tit. 39. de his, qui latrones occultaverint, Leg. 2.

[103] Aug. in Psal. xlix. t. 8. p. 194.

[104] Chrys. in loc. t. 3. p. 301.

[105] Vid. Lessium de Jure et Justit. lib. 2. cap. 14. p. 171.

[106] Aquin. 2ª. 2ᵃᵉ. Quæst. 62. Art. 7.

[107] Jussio, consilium, consensus, palpo, recursus, participans, mutus, non obstans, non manifestans.

[108] Cod. Theod. lib. 14. Tit. 18. de Mendicantibus non Invalidis, Leg. 1.

[109] Cod. Justin. lib. 11. Tit. 25. de Mendicantibus Validis, Leg. 1.

under the scandalous name of βακάντιβοι, men out of business, as I have had occasion to show [110] more fully in another place. She obliged all her monks and men of the ascetic life to live upon their own labour. Insomuch that a monk, who did not work, was looked upon as a thief and a defrauder, as Socrates [111] tells us the Egyptian fathers were used to express themselves concerning such as eat other men's bread for nought. St. Austin [112] wrote a whole book to prove this to be the proper duty of a monk, to live upon his own labour, where he answers all objections that can be made to the contrary. And there are innumerable passages in other ancient writers upon the same topic, to which I have referred the reader in discoursing upon the rules of the monastic life [113] in a former Book. Here I shall only add one noted passage of St. Ambrose, where he gives rules and directions for dispensing charity with prudence only to such as really want it. There ought to be, says he,[114] a due measure observed in liberality, that our charity be not useless: and this moderation is chiefly to be regarded by bishops and priests, that they do not dispense (the church's treasure) to importunate beggars, but as the justice and necessity of the case requires: for none are commonly more greedy in their petitions than such as those. Many come a begging, who are lusty and strong; many come, who have no other reason but an idle, vagrant humour; who would evacuate the subsidies of the poor, or empty their chests, and consume what is laid up for their maintenance: neither are they content with a little, but require great largesses; they appear as gentlemen in their dress, and make that a means to promote their petition; and pretending to be men of good birth, they make use of that as an argument to gain a greater contribution. If any one is too easy in giving credit to such as these, he will quickly defeat those useful methods which are taken for the maintenance of the poor. Therefore a moderation is to be observed in giving; that neither such may be sent away empty, if really in want; nor the livelihood of the poor be turned into another channel, to become a spoil and prey to the frauds of the crafty. It is plain from such accounts as these, that they looked upon an idle life as no better than living upon the spoils of the poor, and a robbery of the worst sort; because it often joined fraud and cruelty to the theft, making use of false pretences to divert the current of men's charity from the widow and the fatherless, and turn it to themselves; who had no necessity but what they voluntarily made to themselves, either by their idleness, or luxurious and prodigal way of living: the supporting of which was an arrant theft and robbing of the poor, which is the height and extremity of cruelty and oppression. And therefore as the laws of the state made idleness in vagrants an actionable crime, ἀργίας δίκη the law itself terms it; so the rules of the church brand it as an infamous way of living, and worthy of ecclesiastical censure.

Sect. 20. And gaming, as an occasion of fraud, and ruin of many poor families, who by this means were reduced to the greatest exigence.

To this they added gaming, as another way of cheating and defrauding; and that in a double respect, because men thereby were inclined to cozenage and deceit, and often ruined their families, who by this means were reduced to the greatest poverty and want by the dissoluteness and folly of a wicked parent. There might be many other reasons for declaiming against this vice, as that it is a reproachful way of dissolute living, and spending men's time in luxury, condemned by many wise and sober heathens; that the old Roman laws punished gamesters with banishment, and many other severe [115] penalties; that gaming inclines men to many great and horrible vices, as covetousness, perjury, lying, cursing and swearing, anger and passion, quarrelling and murder, and rioting and intemperance of all sorts: but I consider it here only as attended with the evil effects of fraud and consumption of men's estates, which involves many poor families in ruin; in which notion it is a downright theft and robbery. And as such it was anciently prohibited by the rules of the church, not only to the clergy, but the laity also. "If any bishop, presbyter, or deacon," says one of the Apostolical Canons,[116] "spend his time at dice or in drinking, let him either refrain, or be deposed." And the next canon adds, "If any subdeacon, reader, or singer do the like, let him be excommunicated, and laymen also." And so the council of Eliberis separates all gamesters in general from the communion. "If any Christian [117] play at dice or tables, let him be restrained from communicating: but if he leaves off and amends, after a year's penance he may be reconciled." Albaspinæus thinks the reason of the prohibition was,[118] because the dice had the images of the heathen gods, as Venus, &c., imprinted on them instead of numbers, and that men in their play called upon them for good fortune: but if so, I conceive, a greater penalty would have been imposed upon them, as upon idolaters, by this council. Therefore it is more reasonable to suppose, that the council considered gaming as a mispending of men's useful time, and consumer of their fortunes, and destruction of their families, and an inlet to fraud

[110] Book VI. chap. 4. sect. 5. [111] Socrat. lib. 4. cap. 23.
[112] Aug. de Opere Monachorum, cap. 17, &c.
[113] Book VII. chap. 3. sect. 10.
[114] Ambros. de Offic. lib. 2. cap. 16.
[115] See Bishop Taylor, Duct. Dubit. book 4. chap. 1. p. 776.
[116] Can. Apost. 41. al. 35. Labbe, vol. 1. p. 36.
[117] Conc. Eliber. can. 79. Si quis fidelis alea, id est, tabula, luserit, placuit eum abstinere: et si emendatus cessaverit, post annum poterit reconciliari.
[118] Albaspin. in loc.

and covetousness, and all the forementioned vices; and under that notion, condemned such as made a trade and business of it, and not a diversion. Upon this account St. Ambrose pronounces[119] the gain that is got by dice and gaming to be no better than theft, or unmerciful and griping usury; and that the man who gives himself to it, leads the life of a savage wild beast. And Justinian made a law,[120] That no one should be obliged to pay what he lost at dice; or if he had paid it, he or his heirs might recover it at law of the winner or his heirs for thirty years after and longer. Or if he did not reclaim it, any one else might do it, or the chief magistrate of the city, the defensor, might exact it, and lay it out upon some public work or building for the use of the city. And in such games as were[121] permitted, he allowed the richest to play for no more than one shilling, and others only in proportion to their substance. And this was a very wise law, considering the complaint which St. Jerom makes, That whilst men play for vast sums, and stake[122] their whole estates at once, the poor stand naked and hungry before their doors, and Christ perishes and is starved to death in his poor members for want of their relief. Nay, many times their own flesh and blood, their families and relations, are ruined by their folly in one night. And what character or punishment could be thought too bad for such? He that provides not for his own, and especially those of his own house, has denied the faith, and is worse than an infidel. And for this reason both the civil and ecclesiastical laws were so severe against dice and gaming, because of such evil consequences so commonly attending them, when they are undertaken for undue ends, and pursued by false measures, only to serve men's fraud and filthy lucre. Otherwise, to play γεροντικῶς, as old men used to play, for diversion, and not for lucre, is what wise and good men have always innocently done[123] without any reproach or censure. And so I have done with the several sorts of theft and robbery, which are great transgressions of the eighth commandment; by which we may judge of the mistake of those who confine the discipline of the church to the punishment of three capital crimes, idolatry, adultery, and murder; for it will be hard to bring theft under any of those denominations, unless we say all theft is covetousness, and covetousness is idolatry. But in that large sense of idolatry, which is serving our own affections more than God, not only covetousness, but adultery and murder will be idolatry also. And then all crimes might be resolved into one, and the church had nothing to do but to punish one crime under different species of idolatry; which does by no means rightly explain her discipline, which makes idolatry a distinct crime against a command in the first table of the decalogue, as disobedience to parents, adultery, murder, and theft are against the second table; and according to this order I have hitherto considered them in this discourse.

CHAPTER XIII.

OF GREAT CRIMES AGAINST THE NINTH COMMANDMENT, FALSE ACCUSATION, LIBELLING, INFORMING, CALUMNY AND SLANDER, RAILING AND REVILING, ETC.

Sect. 1. Of false witness.

The intent of the ninth commandment is to secure our neighbour's credit from injury, by spreading false reports concerning him to the prejudice of his good name and reputation. This is sometimes done in a public manner, by bearing false witness against him: and then it is adding perjury to the calumny, and sometimes theft and murder also; for it may affect not only his credit, but his fortune, and his life too; as it did in the case of Naboth, who was stoned to death upon a false accusation, "Naboth did blaspheme God and the king." And so our Saviour, and many of his disciples after him, suffered by the malicious and false imputations of their enemies, the Jews and heathens. The greatness of the crime in these respects has been already showed under the several titles of perjury, theft, and murder: here I only consider it as an injury to men's reputation, which being a thing dear and valuable to all men, the laws were very careful to secure men in the quiet enjoyment of it, and punish all base attempts to ruin and destroy it. Aulus Gellius tells us,[1] The punishment of false witness among the old Romans, by the law of the twelve tables, was to cast the criminal headlong from the top of the Tarpeian rock: and he thinks, if this punishment had continued, it might have been of great service to the Roman commonwealth, in deterring men from the commission of this crime by its just severity. After-

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[119] Ambros. de Tobia. cap. 11.

[120] Cod. Justin. lib. 3. Tit. 43. de Aleatoribus, Leg. 1. Victum in aleæ lusu non posse conveniri: et si solverit, habere repetitionem, tam ipsum, quam hæredes, ei adversus victorem et ejus hæredes, idque perpetuo et etiam post triginta annos, &c.

[121] Vid. ibid. Leg. 2.

[122] Hieron. Ep. 12. ad Gaudentium. Posita dum luditur arca, stat pauper nudus atque esuriens ante fores, Christusque in paupere moritur.

[123] See Bishop Taylor, Duct. Dubit. book 4. chap. 1. p. 776.

[1] Gell. Noct. Attic. lib. 20. cap. 1. An putas, Favorine, si non illa etiam ex duodecim tabulis de testimoniis falsis pœna abolevisset; et si nunc quoque, ut antea, qui falsum testimonium dixisse convictus esset, e saxo Tarpeio dejiceretur, mentituros fuisse pro testimonio tam multos quam videmus?

ward, by a law, called the *lex Remmia*,[2] false witnesses were burnt in the face, and stigmatized with the letter K, denoting them to be calumniators or false accusers. In opposition to whom the law[3] calls honest men, *homines integræ frontis*, men without any such mark set upon them. This law and punishment is often mentioned by the Roman writers, Tully,[4] Pliny,[5] and others.[6] And though the Christian law abolished it, as it did that of the cross and some others, yet still false accusation and calumny were corrected with suitable punishments, such as infamy, banishment, and suffering the same evil, by the law of retaliation, which the false accuser intended to draw upon others; as appears from several laws[7] in the imperial codes, and particularly those which bind the accusing party to undergo the same punishment, which his false accusation tended to bring upon the supposed criminal, if he did not make good his charge against him. We have already[8] seen a law of Valentinian and Gratian, ordering, That whoever impleaded another either in regard to his fame and reputation, or his fortune, or his life, should undergo the same penalty he intended to bring upon the party so impeached, if he proved a calumniator, and did not fairly make out his action. And every accuser was tied in bonds, which the law[9] calls *vinculum inscriptionis*, to suffer a retaliation, or similitude of punishment, upon failure of evincing his charge against another. Such care was taken by the secular laws to discourage delators or false informers, and preserve the fame and reputation of innocent men against the vile attempts of such dangerous aggressors. Nor were the ecclesiastical laws less severe in their way against such transgressors. The false witness in any case was to do penance five years for his crime, by a canon of the council[10] of Eliberis. And this, provided it was not in the case of death. For in that case, being the crime of murder, the criminal was to be debarred from communion to the very last, as has been showed before[11] in speaking of murder. The councils of Agde[12] and Vannes impose a general penance upon such offenders, without naming the term or duration of their penance, which was left to the discretion of the bishop, who was to judge of the sincerity of their repentance. But the first council of Arles[13] obliges them to do penance all their lives; and the second[14] only moderates their punishment so far as to leave it to the bishop to determine of their repentance and satisfaction.

Sect. 2. Of libelling.

Another way of injuring men's credit and reputation was, by spreading false reports in a covert and clandestine manner, which the law calls libelling. This was done when a man was accused by a bill of indictment, to which the author was afraid to set his name. And such accusations were of no force in law, but were appointed to be torn in pieces or burnt; and no man might read, or retain, or divulge them, without being reputed the infamous author of them. The Christian emperors were extremely careful in discouraging all such base attempts upon men's credit and reputation, as may be seen in the several laws of Constantine, Constantius, Valentinian and Valens, Theodosius and Arcadius, in the Theodosian Code, under the title, *de famosis Libellis*. It will be sufficient to repeat one of them made by Valentinian[15] in this tenor: The very name of scandalous libels is infamous. Therefore whoever collects, or reads them, and does not immediately commit them to the flames, shall be liable to be condemned to a capital punishment. By which it is easy to judge how infamous the authors of such libels were, since none were allowed so much as to read and retain them with impunity, but were in danger of being proceeded against as the suspected authors of them. The ecclesiastical law made the authors and publishers of all such pasquils, when detected, liable to excommunication. For so the council of Eliberis words it[16] in one of her canons: "If any are found to have scattered or dispersed infamous libels in the church, let them be anathematized."

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[2] Digest. lib. 48. Tit. 16. ad Senatus-consultum Turpilianum, Leg. 1. Calumniatoribus pœna lege Remmia irrogatur.

[3] Digest. lib. 22. Tit. 5. de Testibus, Leg. 13. Testimonii fides, quod integræ frontis homo dixerit, &c.

[4] Cicero, Orat. 2. pro Roscio, n. 55 et 57.

[5] Plin. Panegyric. p. 106.

[6] Vid. Demster. Addit. ad Rosin. lib. 9. cap. 16. p. 1517.

[7] Cod. Theod. lib. 9. Tit. 39. de Calumniatoribus, Leg. 1, 2, 3. lib. 16. Tit. 2. de Episc. et Cler. Leg. 21. Cod. Justin. lib. 9. Tit. 46. de Calumniatoribus, Leg. 7, et 8, 9, 10.

[8] Chap. 12. sect. 15.

[9] Cod. Theod. lib. 9. Tit. 1. de Accusationibus et Inscriptionibus, Leg. 9, 11, 14, 19.

[10] Conc. Eliber. can. 74. Falsus testis, prout crimen est, abstinebit; si tamen non fuerit mortis quod objecit. Et si probaverit quod diu tacuerit, biennii tempore abstinebit. Si autem non probaverit in conventu clericorum, placuit per quinquennium abstinere.

[11] Chap. 10. sect. 9 and 10.

[12] Conc. Agathen. can. 37. Censemus homicidas et falsos testes a communione ecclesiastica submovendos, nisi pœnitentiæ satisfactione crimina admissa diluerint. Vid. Conc. Veneticum, can. 1, in the same words. And Conc. Carthag. 4. can. 55.

[13] Conc. Arelat. 1. can. 14. De his qui falso accusant fratres suos, placuit, eos usque ad exitum non communicare, &c.

[14] Ibid. 2. can. 24. Eos qui falsa fratribus capitula objecisse convicti fuerint, placuit, usque ad exitum non communicare (sicut magna synodus ante constituit) nisi digna satisfactione pœnituerint.

[15] Cod. Theod. lib. 9. Tit. 34. de Famosis Libellis, Leg. 7. Famosorum infame est nomen libellorum. Ac si quis vel colligendos, vel legendos putaverit, ac non statim chartas igni consumpserit, sciat se capitali sententia subjugandum.

[16] Conc. Eliber. can. 52. Si qui inventi fuerint libellos famosos in ecclesia ponere, anathematizentur.

Sect. 3. Of detraction, whispering, and backbiting.

Another sort of secret defamation, was that which was committed by the detraction of the lurking whisperer and backbiter: against whose venomous tongues St. Austin is said to have endeavoured to guard his own family and conversation, by causing these two verses to be written upon his table:

> Quisquis amat dictis absentum rodere vitam,
> Hanc mensam indignam noverit esse sibi.

He that takes delight in lessening the characters of the absent, is no welcome or worthy guest at this table. This he did to admonish every one that came there, to abstain from defamatory discourse and detraction. And Possidius[17] says, He was so strict and punctual in the observation of this rule, that he would sometimes sharply reprove his most familiar acquaintance and fellow bishops for forgetting and transgressing it; telling them, that either those verses must be erased from his table, or he must withdraw and retire to his private apartment. This was a sort of private discipline, (like that of St. Austin's mother denying him the privilege of sitting at her own table whilst he was a Manichee,) and it was a very proper way of discouraging all evil speaking and detraction; but I do not find that this crime was brought under public discipline by any general rule of the church. And the reason might be, what St. Jerom observes, That the sin was too general and epidemical to be publicly corrected. For there[18] are very few that have wholly renounced this vice, and it is a rare thing to find any so careful to make their own life unblamable, not to be willing to find fault with others. Yea, so great a propensity is there in men's minds toward this evil, that they who are far removed from other vices fall into this as the last snare of the devil.

Sect. 4. Of railing and reviling, or scurrilous and abusive language, and of revealing secrets.

But when this detraction broke out into open slander and calumny, and especially when it was attended with contumelious, bitter, and reproachful words, with railing and reviling, and scurrilous and abusive language; then, as it was matter of public scandal, so it became the subject of a public censure. For St. Paul puts railers and revilers into the number of those who are neither fit for the society of men nor the kingdom of God. 1 Cor. v. 11, "I have written unto you not to keep company, if any man that is called a brother be a fornicator, or covetous, or an idolater, or a railer, or a drunkard, or an extortioner; with such an one no not to eat." And again, 1 Cor. vi. 9, 10, "Be not deceived: neither fornicators, nor idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind, nor thieves, nor covetous, nor drunkards, nor revilers, nor extortioners, shall inherit the kingdom of God." And therefore the church, following this rule, reckoned slanderous railing and scurrility among the crimes that deserved ecclesiastical censure. Insomuch that a clergyman, who was noted for scurrilous and scoffing language, is ordered by the council of Agde[19] to be degraded. And the same canon occurs in the fourth council of Carthage,[20] with some others of the like nature; as, if he be given to railing,[21] or revealing of secrets to the infamy and disgrace of others. Upon this latter case, of defaming men by divulging unnecessarily their secret crimes, St. Austin[22] has a whole discourse, where he particularly says, That he that rebukes a man publicly before all, when his crime is known to none but himself alone, is not a reprover, but a betrayer. He reminds such of the example of Joseph, who, finding the holy Virgin to be with child, and suspecting her to be guilty of fornication, yet, being a just and good man, he was minded to put her away privily, and not make her a public example. And he adds, That bishops were wont thus[23] to proceed with private criminals in the church. A bishop knows a man to be guilty of murder, and the thing is known to none besides himself. If in this case I should reprove him publicly, some other would take the law upon him. Therefore I neither betray him, nor neglect him: I reprove him in secret, I set before his eyes the judgment of God, I terrify his guilty conscience, I persuade him to repentance. So again, says he, there are some men that are adulterers in their own houses, they sin sometimes in private, and they are discovered to us by their own wives, sometimes in zeal and fury, sometimes in mercy, desiring the salvation of their souls. Now, in this case we do not betray them openly, but rebuke them in secret. Where the evil is committed, there it dies: yet we do not neglect that wound, but before all things

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[17] Possid. Vit. Aug. cap. 22.

[18] Hieron. Ep. 14. ad Celantiam. Pauci admodum sunt, qui huic vitio renuncient; raroque invenies, qui ita vitam suam irreprehensibilem exhibere velint, ut non libenter reprehendant alienam. Tantaque hujus mali libido mentes hominum invasit, ut etiam qui procul ab aliis vitiis recesserunt, in istud tanquam in extremum diaboli laqueum incidant.

[19] Conc. Agathen. can. 70. Clericum scurrilem et verbis turpibus joculatorem ab officio retrahendum.

[20] Conc. Carth. 4. can. 60.

[21] Ibid. can. 57. Clericus maledicus, maxime in sacerdotibus, cogatur ad postulandam veniam. Si noluerit, degradetur. It. can. 56. Clericus qui adulationibus et proditionibus vacare deprehenditur, ab officio degradetur.

[22] Aug. Serm. 16. de Verbis Domini, t. 10. p. 29. Si solus nosti, quia peccavit in te, et eum vis coram omnibus arguere, non es correptor, sed proditor.

[23] Ibid. Novit enim nescio quem homicidam episcopus, et alius illum nemo novit. Ego illum volo publice corripere, at tu quæris inscribere. Prorsus nec prodo, nec negligo: corripio in secreto: pono ante oculos Dei judicium, terreo cruentam conscientiam, persuadeo pœnitentiam.

show the man that has committed such a sin, and wounded his conscience thereby, that his wound is mortal. By this discourse of St. Austin, it seems clear, that the church brought no private crimes under public penance, except when the guilty person consented to it and required it: and to do otherwise, was a high crime in the minister, who was charged, for any such attempt, as a divulger of secrets, and betrayer of his trust, and one that brought an unnecessary defamation and scandal upon his brethren.

Sect. 5. Of lying. How far it brought men under the discipline of the church.

Thus far the discipline of the church proceeded against all defamatory and pernicious lying. But there are some other sorts of lies, as the ludicrous lie, and the officious lie, which, though culpable and sinful in themselves, were not so severely pursued by ecclesiastical censures. Tertullian,[24] reckoning up those lesser sins which were not publicly punished by penance in the church, puts lying out of modesty, or necessity, among them. And Origen[25] makes lying one of those sins, which were incident to those who had made the greatest proficiency in the church. Some indeed pleaded for officious lies, as not only innocent and lawful, but in some cases useful and necessary; as, if it were to save the life of an innocent person, a man ought in that case rather to tell a lie, than to betray him to death. But St. Austin disputes against this sort of officious lies also, and shows them to be culpable and sinful; arguing, That a man ought neither to betray an innocent person, nor tell a lie to save him, but to venture his own life, by professing roundly, that he will neither lie for him, nor discover him. And he gives a rare instance of this sort of fortitude in one Firmus, bishop of Tagasta, who, according to what the Greeks call pheronymy, *φερωνυμία*, carried firmness in his name,[26] and firmness in his resolution. For when one of the heathen emperors had sent his apparitors to search for a certain person whom he had hidden, he told them plainly, he could neither tell a lie, nor betray the man; and though they put him to the rack, and tortured him to make him confess, yet he persisted in his resolution not to discover the man that was fled to him for safety and protection. Whereupon he was carried before the emperor himself, where he gave such admirable and fresh proofs of his firmness, that the emperor without any great difficulty was prevailed upon to pardon the man, whom he kept in private under his protection. This was a singular instance of heroic gallantry, rather to run the hazard of his own life, than tell a lie to save another from destruction. But the discipline of the church did not run thus high, to oblige all men to come up to this degree of veracity under pain of excommunication. It was sufficient to encourage truth and ingenuity in all cases, and punish falseness and perfidiousness in all notorious instances of mischievous evil: but in other cases, it was no blemish to the discipline of the church, to suffer some sort of more pardonable lying to pass without the animadversion of the highest censure, so long as they gave no encouragement to it, but condemned it universally as a lesser instance of transgression. To this purpose St. Austin says, in another place,[27] There are two sorts of lies in which there is no great fault, and yet they are not wholly without fault, that is, when we lie in jest, and when we lie for the advantage of our neighbour. In this latter case, he thinks, a man may honestly conceal the truth by silence, but he must not upon any account speak false, or tell a lie; for that will not consist with the perfection of a Christian. Therefore if he would not betray a man to death, he must prepare himself to conceal the truth, but not to speak false;[28] so as that he may neither betray the man, nor tell a lie; lest he destroy his own soul to preserve the life of another. As this shows the perfection of the Christian morals, so it equally declares the abatement that was made in the discipline of the church, in reference to such officious lies as were extorted from men upon some extraordinary charity; which, though it did not wholly excuse the sin, yet it made it so far tolerable, as not to incur the severity of public discipline, but come within the number of those lesser sins, which did not ordinarily fall under the greater censures of the church.

In all other cases, where lying was attended with mischievous and pernicious effects, it was punished according to the proportion of those crimes that accompanied it. As we have already seen in the case of false witness, libelling, slandering, railing, and reviling. And when it implied any fraud, or equivocation, or double dealing in matters of religion, it was punished as apostacy or perjury, as we have seen in the case of the *Libellatici*,[29] who either denied their religion in writing, or purchased libels of security from the magistrate, to excuse them from sacrificing; and those who feigned them-

[24] Tertul. de Pudicit. cap. 19.

[25] Orig. Tract. 6. in Mat. p. 60. See before, chap. 3. sect. 14.

[26] Aug. de Mendacio ad Consentium, cap. 13. Firmus nomine, firmior voluntate—respondit quærentibus, se nec mentiri posse, nec hominem prodere; passusque multa tormenta corporis permansit in sententia, &c.

[27] Aug. in Psal. v. p. 11. Duo sunt omnino genera mendaciorum, in quibus non est magna culpa: sed tamen non sunt sine culpa, cum aut jocamur, aut, ut proximis prosimus, mentimur.

[28] Ibid. Aliud est mentiri, aliud verum est occultare: ut si quis forte vel ad istam visibilem mortem non vult hominem prodere, paratus esse debet verum occultare, non falsum dicere; ut neque prodat, neque mentiatur, ne occidat animam suam pro corpore alterius. Vid. Conc. Tolet. 8. can. 2. et Gratian. Caus. 22. Quæst.

[29] Chap. 4. sect. 6 and 7.

selves mad to avoid a prosecution: both which sorts of men the church condemned as idolaters, and as guilty, by their dissimulation and cowardice, of betraying their holy religion. The Priscillianists were likewise infamous for this character, and abominable practice of equivocation. For they taught their disciples this base art of dissembling, and concealing their vile practices[30] by lies and perjury; giving them this direction, as one of their rules and instructions in cases of danger: Swear, and forswear, and never discover your secrets. How much more laudable and commendable is the rule given in this case even by the heathen satirist,[31] which deserves to be written in letters of gold! If ever you are called to be a witness in a doubtful matter, though Phalaris himself should command you to speak false, and threaten to burn you in his brazen bull, unless you will forswear yourself; in that case reckon it the greatest villany to prefer life before truth and honesty, and for the sake of living to forego those things which are the only true reasons of living, that is, probity, integrity, and a good conscience, for which end men are born and sent into the world by the providence of God. This rule is often inculcated by the heathen moralists, Marcus Antoninus, Epictetus, Seneca, and Plutarch: which made it the more reasonable for the Christians to insist upon it, and punish the crimes of perjury and falseness with the severest of ecclesiastical censures, whenever they could plainly convict any one of being guilty of them: and when they could not, the providence of God commonly interposed, and discovered and punished them by some remarkable Divine judgment. Of which, beside the case of Ananias and Sapphira in Scripture, we have a memorable instance in Eusebius[32] of three men who combined together in a false accusation of Narcissus, bishop of Jerusalem, imprecating upon themselves very direful judgments, which the providence of God justly brought upon them; of which, because I have given a full relation before,[33] I need say no more in this place.

CHAPTER XIV.

OF GREAT TRANSGRESSIONS AGAINST THE TENTH COMMANDMENT, ENVY, COVETOUSNESS, ETC.

Sect. 1. Whether envy brought men under the discipline of the church.

There is but little to be observed in the ancient discipline of the church concerning the transgressions against this commandment; because, though some of them were great crimes, yet they were such as chiefly consisted in the internal corruptions of the mind; and the church could take no notice of them, till they first discovered themselves in some outward actions. Envy was a crime of that nature: it was always reckoned a diabolical sin, and one of the first magnitude; but yet, before it could bring a man under public discipline, the inward rancour of the heart must betray itself in some outward, apparent, and visible action. In this sense we are to understand St. Chrysostom,[1] when he says, The envious man ought to be cast out of the church as well as the fornicator, to preserve others from the contagion and poison of his example. That is, when envy shows itself in any of those mischievous effects, which naturally arise from it, and turn to the apparent detriment of men or religion. For, as Cyprian observes,[2] envy is a very prolific vice, multiplying itself into various shapes and figures: it is the root of all evils, the fountain of destruction, the seminary of sins, and the matter of all offences. Hence proceeds hatred, hence animosity arises. Envy inflames covetousness, making a man not to be content with his own, whilst he sees another richer than himself. Envy excites ambition, whilst a man sees another in greater honour than himself: envy blinds our senses, and reduces the interior faculties of the soul under its power and dominion. Then the fear of God is slighted, the precepts of Christ are neglected, the day of judgment is not thought of. It puffs us up with pride, it imbitters us with cruelty, makes us prevaricate with perfidiousness, shocks us with impatience, enrages us with discord, inflames us with anger; and a man cannot contain or govern himself, who is now under the power of another. By this means the bond of Divine peace is broken, brotherly charity is violated, truth adulterated, unity divided, and heresies and schisms take their original; whilst men disparage the priests, and envy the bishops, and every one complains that he himself was not ordained, or takes it in dudgeon that another was preferred before him. When envy was attended with any such effects as these, then it fell under the cognizance of public discipline; not as it was an inward corruption of the mind, but as it discovered itself in some outward and vicious action, as open dissension, or heresy, or schism, or the breach of unity and peace, ecclesiastical or civil; which crimes being the subject of church censure, so far as envy was concerned in any of them, so far it might be said to be punished by the public discipline of the church,

[30] Aug. de Hæres. cap. 70. Propter occultandas autem contaminationes et turpitudines suas, habent in suis dogmatibus et hæc verba, Jura, perjura, secretum prodere noli.

[31] Juvenal. Sat. 8. ver. 80. Ambiguæ si quando citabere testis incertæque rei, Phalaris licet imperet, ut sis falsus, et admoto dictet perjuria tauro; summum crede nefas, animam præferre pudori, et propter vitam vivendi perdere causas.

[32] Euseb. lib. 6. cap. 9. [33] Chap. 7. sect. 8.

[1] Chrys. Hom. 41. in Mat. p. 383.

[2] Cypr. de Zelo et Livore, p. 223.

but no otherwise, for want of sufficient ground to proceed in a legal way of evidence against it. But yet this bitter root gave but too many occasions to the church to punish it in other species; being one of those sins that could not contain itself or long lie hid, having a train of other vices commonly attending it, according to the observation made by Cyprian, and long before by St. James; "For where envying and strife is, there is confusion and every evil work."

Sect. 2. Of pride, ambition, and vain-glory.

The like is to be observed of pride, ambition, and vain-glory. These were great sins in their own nature; but being internal and spiritual sins in their kind, the discipline of the church could take no notice of them, till they discovered themselves in some enormous, outward vicious actions. As when pride drew men into blasphemy against God, or oppression of men; when ambition or vain-glory made men factious and turbulent in the church, and pushed them forward into open heresy or schism; then was the proper time for the church to take her spiritual sword into her hand, and make use of her censures for their correction. Thus we have seen the pride of Andronicus corrected by Synesius, bishop of Ptolemais,[3] when it brake forth into open blasphemy against Christ; and thus all along heretics and schismatics found their punishment, when their ambition and restless spirit proceeded so far, as to make some open breach upon the faith or unity of the church. But in these cases, pride was rather punished in other species of sin, blasphemy, heresy, or schism; for the censure of which the reader must look back into the former parts of this Book.

Sect. 3. Of covetousness.

The same observation is to be carried further, and made upon covetousness, which is another of those three great lusts that reign in the world, the lust of the heart, the lust of the eye, and the pride of life. Covetousness, which is the lust of the eye, is always a very great sin before God; being, as the apostle terms it, "idolatry, and the root of all evil;" and even when it is only conceived in the mind, it makes a man odious to his Maker. But because God sees not as man sees; for God looks upon the heart; therefore, before covetousness can render a man a proper object of the church's discipline, it must discover itself in some visible act of injustice, as theft, oppression, or fraud, under which appearances, but not otherwise, it was liable to the church's judgment and censure. And this is what Gregory Nyssen observes,[4] That among all the species of covetousness none were expiated by solemn penance, but such as theft and violation of graves, that is, such instances of covetousness as manifested themselves in some outward and apparent evil action.

Sect. 4. Of carnal lusts.

And the like is to be said of the lust of the heart, or carnal lusts, and sins of uncleanness. Though the evil thoughts and intentions of the heart are sinful before God in general; "For if I regard iniquity in my heart, the Lord will not hear me;" and though, in particular, "he that looks on a woman to lust after her, hath committed adultery with her already in his heart;" yet this was not punishable in the discipline of the church: because the church is no judge of the secret intentions, but only of the outward and visible actions, that carry scandal as well as sin in them. Therefore we have observed before,[5] out of the council of Neocæsarea,[6] That no one was to be excommunicated for sins only in design and intention. If a man purpose in his heart to commit fornication with a woman, but his lust proceed not into action, it is apparent he is delivered by grace, says the canon. And therefore, though he was culpable before God, yet the church inflicted not the censure of excommunication on him, because her discipline extended not to men's private thoughts, but only to their outward actions. And this was the case of all transgressions that were purely against this command: they might be punished under other species of sin, but not as they were only sins of the heart, because, as such, human judicature could take no cognizance of them.

We have now gone through the several branches of duty and transgression, and therein taken a full view of the extent of the discipline of the church: whereby it appears, that the objects of ecclesiastical discipline were not only the three great sins of idolatry, adultery, and murder, but all other crimes that come under the denomination of scandalous and great transgressions. And thus far the discipline of the church related to all persons in general, but there were some punishments peculiar to delinquent clergymen, which, because they are matter of particular inquiry, I shall make them the subject of the following Book.

[3] Synes. Ep. 58. See Book XVI. chap. 2. sect. 6 and 8.
[4] Nyssen. Ep. ad Letoium.
[5] Chap. 3. sect. 17.
[6] Conc. Neocæsar. can. 4.

BOOK XVII.

OF THE EXERCISE OF DISCIPLINE AMONG THE CLERGY IN THE ANCIENT CHURCH.

CHAPTER I.

OF THE DIFFERENCE BETWEEN ECCLESIASTICAL CENSURES INFLICTED ON CLERGYMEN AND LAYMEN.

Sect. 1. The peculiar notion of *communio ecclesiastica*, and *excommunicatio ecclesiastica*, as applied to the clergy.

We have hitherto taken a general view of the discipline of the church, as it respected all the members of the community falling into the several crimes deserving excommunication. But to have a complete notion and full comprehension of the church's discipline, we are to consider, there were some punishments peculiar to the clergy, and some censures so particularly respecting their office and function, that they could only be inflicted on them, and not upon laymen. In regard to which, clerical communion and lay communion were always considered as distinct things; and a man might be deprived of the former, whilst he was allowed to enjoy the benefit and privilege of the latter; and even that which was many times a very great punishment in a clergyman, or ecclesiastical person, was no punishment at all in a secular person or layman. For there was no suspension from office or benefit, no degradation or deposition, no reduction to lay communion, that could affect a layman, as they were punishments: but all these were great punishments as inflicted on the clergy, because they deprived them of those special honours and advantageous privileges, that were peculiar to their function. In reference to which things we sometimes find the terms *communio ecclesiastica*, and *excommunicatio ecclesiastica*, ecclesiastical communion, and ecclesiastical excommunication, used in a peculiar and restrained sense, not for communion or excommunication in general, but for admission to or expulsion from these particular honours and advantages, which were peculiarly appropriated to ecclesiastical persons, or such as were of the clerical order and function. Therefore, though some canons take suspension from ecclesiastical communion[1] for suspension of laymen from the communion of the eucharist or the prayers of the church; yet other canons, speaking of the clergy and their punishment, take ecclesiastical communion in a more restrained sense, for communicating in the offices of the clerical function. So that a clergyman was said to be excommunicated, when he was deprived of the power of exercising the offices of his function; and such an excommunication does not always imply that he was wholly cast out of all communion with the church, but only communion as specified with this limitation and restriction. This distinction is noted by Balsamon,[2] and Zonaras,[3] and many other learned men[4] after them: and it is necessary to be observed, for the right understanding of many ancient canons,[5] where the words ἀκοινώνητος, ἀφορισμὸς, ἐκκηρύττεσθαι, which signify excommunication, can have no other meaning, as applied to the clergy, but only to denote their degradation or suspension.

Sect. 2. The clergy usually punished by a removal from their office, but not always subjected to public penance, as men wholly cast out of the communion of the church.

This may be confirmed from an observation that has been made once before in a former Book,[6] That some ancient canons expressly forbid the clergy to be punished by the ordinary way of excommunication, which implies a total removal from the communion of the church; but thought it sufficient to punish them by a removal from their office; and that, because it was not proper to punish men doubly for the same offence. If a bishop, presbyter, or deacon, says one of the Apostolical Canons,[7] be taken in fornication, perjury, or theft, he shall be deposed, but not excommunicated: for the Scripture says, "Thou shalt not punish twice for the same crime." And the like rule is prescribed in the canons of Peter,[8] bishop of Alexandria, and those of St. Basil.[9]

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[1] Vid. Conc. Agathen. can. 37. Conc. Aurel. 4. can. 19. Ibid. 5. can. 17.

[2] Balsam. in can. 16. Conc. Nic. [3] Zonar. in eundem.

[4] Albaspin. Observ. lib. 1. cap. 2. Habert. Archierat. p. 746. Suicer. Thesaur. Eccles. voce 'Αφορισμὸς

[5] Vid. Can. Apost. 6, 43, 45, 56, 57, 58, 59, 72.

[6] Book VI. chap. 2. sect. 2. [7] Canon. Apost. c. 24.

[8] Pet. Alex. can. 10. [9] Basil. can. 3, 32, 51.

Sect. 3.
Yet in some special cases both penalties inflicted.

Yet for some more flagrant crimes both penalties were inflicted, as appears from the same Apostolical[10] Canons, which order, that if any clergyman was found guilty of simony, or any such heinous offence, he should not only be deposed from his office, but be cast out of the church. And a great many learned men[11] are of opinion, that this was the constant practice of the church even in the three first ages, when the Apostolical Canons were most in force. It is certain it was so in the time of Cyprian: for he, speaking of Novatus, who was guilty of murder, in causing his own wife by a blow to miscarry, says, That for this crime he was not only to be degraded, or expelled the presbytery, but to be deprived[12] of the communion of the church also. And in the following ages there are innumerable examples of this practice, as the learned reader may satisfy himself by consulting the passages[13] referred to in the margin.

Sect. 4.
Of suspension from their revenues.

Now, that which we are concerned at present to inquire after, are those punishments which particularly affected the clergy: and these were of three sorts; such as respected their maintenance, such as respected their office, and such as respected their persons in corporal chastisement and correction. Sometimes they were punished in their maintenance, by withdrawing the usual portion of the church's revenues, which was allotted to them out of the public stock for their maintenance and subsistence. The revenues of the church, as has been observed in a former Book,[14] were usually divided among the clergy once a month, whence it had the name of *divisio mensurna*, the monthly division: and when there was occasion to punish a delinquent clergyman for some less offence, it was done by withdrawing this usual portion of the monthly division from him. As appears from that of Cyprian,[15] who, speaking of some of the inferior clergy that had offended, says, "They should be withheld or suspended from their monthly division, but not be deprived of their ministerial office in the church."

Sect. 5.
Of suspension from their office.

Sometimes they were suspended not only from their revenues, but from their office and function. And this was either temporary and limited, or perpetual and without restriction. The temporary suspension was only a depriving them of the execution of their office for a certain term; and when that term was over, they had liberty to resume their place, and return to the execution of their office in all the parts and duties of their function: but the perpetual suspension was a total deprivation of them from all power and dignity belonging to the clerical office, and a reduction of them to the state and condition of laymen, without any ordinary hopes or prospect of ever recovering their ancient station. The former of these is commonly called by the ancients abstention and suspension from communion, meaning clerical communion only; and the latter vulgarly known by the name of degradation, de-ordination, or deposition from the office and order of the clerical function. Thus Cyprian, writing to Rogatian, an African bishop, concerning a contumacious deacon who rebelled against him, bids him to depose him from his office, or at least suspend[16] him. The penalty of suspension was for less crimes, as in the instance given in the council of Epone,[17] If a bishop, presbyter, or deacon be detected to keep dogs for hunting, or hawks for fowling, the bishop is to be suspended for three months, the presbyter for two, and the deacon for one. So by a canon of the council of Lerida,[18] If any clergyman in a siege

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[10] Canon. Apost. 29, 30, et 51.

[11] Pagi, Critic. in Baron. an. 67. n. 15. Quesnel. Not. in Leo. Ep. ad Rustic. Narbon. Morin. de Pœnit. lib. 4. cap. 12. Fell, Not. in Cypr. Ep. 4. ad Pompon. p. 4.

[12] Cypr. Ep. 49. al. 52. ad Cornel. p. 97. Propter hoc se non de presbyterio tantum, sed et communicatione prohiberi pro certo tenebat, &c.

[13] Conc. Neocæsar. can. 1. ' Πρεσβύτερος ἐὰν γήμῃ, τῆς τάξεως αὐτὸν μετατίθεσθαι· ἐὰν δὲ πορνεύσῃ, ἢ μοιχεύσῃ, ἐξωθεῖσθαι αὐτὸν τέλεον, καὶ ἄγεσθαι αὐτὸν εἰς μετάνοιαν. If a presbyter marries, he shall be removed from his order; but if he commits fornication or adultery, he shall be wholly expelled the church, and reduced to the discipline of repentance. Vid. Conc. Agathen. can. 8 et 42. Conc. Ilerdense, can. 1, 5, et 16. Conc. Valentin. Hispan. can. 3. Conc. Veneticum, can. 16. Conc. Aurelian. 1. can. 11. Aurelian. 3. can. 4, 7, et 8. Conc. Turon. 1. can. 3, 5. Conc. Toletan. 2. can. 3. Conc. Tolet. 11. can. 5 et 6. Vigilii Decret. cap. 6. Felix III. Ep. ad Acacium, writes thus to him: Sacerdotali honore, et communione catholica, nec non etiam a fidelium numero segregatus, sublatum tibi nomen et munus ministerii sacerdotalis agnosce. Vid. et Conc. Asiaticum. Ep. ad Joan. C. P. in Synodo sub Menna. Act. 1. ap. Crab. t. 2. p. 36. et Conc. Constant. sub Flaviano, in Act. 1. Conc. Chalcedon. ap. Crab. p. 780. where Eutyches is punished both with deposition and excommunication, as all heretics commonly were.

[14] Book V. chap. 4. sect. 1.

[15] Cypr. Ep. 28. al. 34. ad Cler. Interim se a divisione mensurna tantum contineant, non quasi a ministerio ecclesiastico privati esse videantur. Vid. Conc. Carth. 4. can. 49. Justin. Novel. 123. c. 42.

[16] Cypr. Ep. 3. ad Rogat. p. 6. Fungeris circa eum potestate honoris tui, ut eum vel deponas vel abstineas.

[17] Conc. Epaunen. can. 3. Episcopis, presbyteris, atque diaconibus canes ad venandum, et accipitres ad aucupandum, habere non liceat. Quod si quis talium personarum in hac fuerit voluntate detectus, si episcopus est, tribus mensibus se a communione suspendat; duobus presbyter abstineat; uno diaconus ab omni officio et communione cessabit.

[18] Conc. Ilerden. can. 1. De his clericis, qui in obsessionis necessitate positi fuerint, id statutum est, ut ab omni humano sanguine, etiam hostili, se abstineant. Quod si in hoc inciderint, duobus annis, tam officio quam communione corporis Domini, priventur——Et ita demum officio vel communioni reddantur, ea tamen ratione, ne ulterius ad officia potiora provehantur. See other instances of sus-

bore arms, and killed a man, though it were one of the enemies, he was to be suspended from his office two years, and be rendered incapable of any further promotion; because the canons in all cases whatsoever peremptorily forbade a clergyman to be concerned in blood.

Sect. 6. Of deposition or degradation.

The other sort of suspension, commonly called καθαίρεσις, deposition or degradation, was a total and perpetual suspension of the power and authority committed to a clergyman in his ordination. For as the church had power to grant this authority and commission at first, so she had power to resume and withdraw it again upon great misdemeanors and just provocation. And then a clergyman, whatever character he sustained before, was totally divested both of the name and dignity, and power and authority belonging to his former order and function. By some canons[19] therefore he is said to be degraded, deprived, and turned out of office; by others,[20] to be totally deposed, παντελῶς καθαιρεῖσθαι; totally to fall from his order or degree,[21] παντελῶς ἀποπίπτειν βαθμοῦ; to be de-ordained,[22] or un-ordained; to be removed out of the order[23] of the clergy; to cease to be of the number of the[24] clergy; and to be reduced to lay communion, that is, to the state and quality and condition of laymen. All these expressions, except the last, are commonly well understood by modern writers: but some, to serve a peculiar hypothesis, have invented very odd and strange notions of it. Therefore, to set the matter in a right light, and give a just account of the discipline of the church, it will not be amiss to be a little more particular upon this point, and show distinctly what the ancients meant by this part of their discipline, which they call reducing a clergyman to the state and communion of laymen, which I shall make the subject of the following chapter.

CHAPTER II.

OF REDUCING THE CLERGY TO THE STATE AND COMMUNION OF LAYMEN, AS A PUNISHMENT FOR GREAT OFFENCES.

Sect. 1. Lay communion not the same as communion in one kind only.

Lay communion in a layman was no punishment, but a privilege, and one of the greatest privileges that belonged to him as a Christian; for it was entitling him to all the benefits and advantages of Christian communion. But in a clergyman it was one of the greatest of punishments, reducing him from the highest dignity and station in the church to the level and standard of every ordinary Christian. But now the question is, wherein the nature of this punishment consisted. Bellarmine[1] and some other writers of the Romish church, taking the word in a new and modern sense, expound it of communion in one kind, and bring it as an argument to prove that the primitive church denied the people the use of the cup in the Lord's supper, and administered the communion to them only in one kind, because the word lay communion bears that signification in the present church of Rome. But this is only begging a principle, and supposing a practice, of which there is not the least footstep to be met with in the ancient church, as I have fully demonstrated in a former[2] Book. And it is such a piece of ignorance and misrepresentation of the ancient discipline, as other learned men in the Romish church are commonly ashamed of. The notion is entirely rejected and confuted by Lindanus,[3] Albaspinæus,[4] Peter de Marca,[5] Rigaltius,[6] Durantus,[7] and Cardinal Bona,[8] who tacitly reflects upon Bellarmine and his followers for their childish explication of this ancient term to make it comply with the modern practice. They no sooner hear, says he, of the name, lay communion, but overlooking the ancient notion, they presently take it only in the sense which it now bears, and interpret it communion in one kind; the falseness of which we may learn from hence, that we often read of clergymen being thrust down to lay communion at that time, when laymen communicated in both kinds.

Sect. 2. Neither does it signify communicating among laymen without the rails of the chancel.

Lindanus had long before used the very same argument, and advanced a more probable explication, that lay communion might denote a clergyman's being thrust down to communicate among laymen without the rails of the chancel: which has so much of plausibility in it, that the learned Dr. Forbes,[9] and Vossius,[10] give in to this opinion. But though this has something of truth in it, yet it does not express the full meaning of lay communion. For a man might be admitted to lay communion not only in the church, but in a private house, or upon his death-bed, where there could be no such distinction.

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pension in Basil, can. 69. Conc. Bracar. 3. can. 1 et 5. Conc. Aurel. 3. can. 2, 16, 25. Ibid. 5. can. 5 et 18.

[19] Conc. Carth. 4. can. 48, 49, 50. Conc. Tarracon. can. 10.

[20] Conc. Antioch. can. 5. [21] Conc. Ephes. can. 6.

[22] Acta Servatii Tungrensis, ap. Crab. Conc. t. 1. p. 318. Nulla mora Euphratas deordinetur.

[23] Conc. Arelat. 1. can. 13. Ab ordine cleri amoveatur.

[24] Conc. Nicæn. can. 2. Πεπαύσθω τοῦ κλήρου.

[1] Bellarm. de Euchar. lib. 4. cap. 24. p. 678.

[2] Book XV. chap. 5. [3] Lindan. Panoplia, lib. 4. c. 58.

[4] Albasp. Observ. lib. 1. cap. 4.

[5] Marca, Tract. in Cap. Clericus, ad calcem Baluzii de Emendat. Gratiani, p. 585.

[6] Rigalt. in Cypr. Ep. 52. ad Anton.

[7] Durant. de Ritibus Eccles. lib. 2. cap. 55. n. 6.

[8] Bona de Rebus Liturg. lib. 2. c. 19. n. 3.

[9] Forbes, Irenic. lib. 2. cap. 11. p. 221.

[10] Voss. Thes. Theol. Disp. 23. Thes. 5. p. 514.

Sect. 3. But a total degradation or deprivation of orders, and reduction to the state and condition of laymen.

Therefore the full import of the phrase, and the adequate notion of reducing a clergyman to lay communion, is totally degrading and depriving him of his orders, that is, the power and authority of his clerical office and function, and reducing him to the state and quality and simple condition of a layman. Thus Chamier rightly explains it[11] against Bellarmine, when he observes, that it was called lay communion neither from the place of communicating, nor from communicating in one species, nor from the time and order of communicating the laity after the clergy, but from the condition and quality of the person communicating; namely, because he that before was a clergyman, or in the roll and nomenclature of the clergy, is now become a layman, and reckoned as one in the order of laymen only. This supposes a power in the church, not only of conferring clerical orders at first to men, and promoting them from laymen to be bishops, or presbyters, or deacons, but also a power of recalling these offices, and divesting them of all power and authority belonging to them, by degrading clergymen upon just reasons, and reducing them to the state and quality of laymen again. This is undoubtedly the true meaning of all those ancient canons and writers, which speak so often of degrading clergymen for their offences, and allowing them only to communicate in the quality of laymen. Hereby they were deprived of their order and office, and power and authority, and even the name and title of clergymen; and reputed and treated as private Christians, wholly divested of all their former dignity, and clerical powers and privileges, and reduced entirely to the state and condition of laymen. Of which, because I have had occasion to discourse at large in another work,[12] I shall not need to say much in this place, but only add a few testimonies that were then omitted. In the third council of Orleans there is a canon,[13] which orders, That if a clergyman, either by his own confession or conviction, was proved guilty of adultery, he should be deposed from his office, and be confined to lay communion in a monastery all his days. And another canon[14] appoints, That if any clergyman was convicted of theft or fraud, because those were capital crimes, he should be degraded from his order, and only be allowed lay communion. So in the collection of Martin Bracarensis,[15] made out of the Greek canons for the use of the Spanish church, it is ordered, That if any one is surreptitiously ordained, who, after baptism, has been guilty of murder, either by immediate commission of the fact, or by command, or counsel, or defence, he shall be deposed, and only be admitted to lay communion all his days. Gelasius[16] has a like decree, made in the case of a presbyter, who, in a quarrel, struck out the eye of another; he orders him to be deposed from his office, and to be cloistered in a monastery, there to repent of the fact, and only to have lay communion for his whole life. And Gratian[17] cites an order of the council of Lerida to the same purpose, That if clergymen, who are once corrected for their offence, shall relapse, and return to their vomit again, they shall not only be deprived of the dignity of their office, but continue all their lives incapable of receiving the communion even as laymen, which shall only be granted them at their last hour.

Sect. 4. Clergymen thus reduced, seldom allowed to recover their ancient station.

The plain result of this discourse is, that reducing a clergyman to the communion of laymen was a total deprivation, and divesting him of his office and orders. So that if he now pretended to act as a minister, his actions were reputed null and void, and as no other than the actions of a layman. The learned Dr. Forbes has rightly observed this[18] in the ancient discipline, and I cannot better express it than in his words: "He that is deposed with a plenary and perfect deposition, cannot now validly exercise the offices that belong to his order, because he wants his order and the power of his order. He is now nothing but a mere layman, and in so much a worse condition than other laymen, because the restitution of such a one to his office is a much more difficult thing than the promotion of other laymen." Indeed there are very few instances of recalling such to the clerical office again,

[11] Chamier. de Euchar. lib. 9. cap. 3. n. 33. t. 4. p. 487. Appellatam fuisse laicam communionem, non a loco, non a speciebus, non a tempore, sed a persona: nimirum quod qui ante fuerit clericus, sive in clericorum nomenclatura, nunc sit laicus, et in laicorum ordine.

[12] Scholast. Hist. of Lay Baptism, Part II. chap. 4.

[13] Conc. Aurel. 3. can. 7. Si quis adulterasse, aut confessus fuerit vel convictus, depositus ob afficio, communione concessa, in monasterio toto vitæ suæ tempore trudatur.

[14] Ibid. can. 8. Si quis clericus furtum aut falsitatem admiserit, quia capitalia etiam ipsa sunt crimina, communione concessa, ab ordine degradetur.

[15] Martin. Bracar. Collect. Canon. c. 26. Si quis homicidii, aut facto, aut præcepto, aut consilio, aut defensione, post baptismum conscius fuerit, et per aliquam subreptionem ad clericatum venerit, dejiciatur, et in finem vitæ suæ laicam communionem tantummodo recipiat.

[16] Gelas. Ep. ad Ruffin. ap. Gratian. Dist. 55. cap. 13. Bene fraternitas tua fecit ab officio eum presbyterii removeri. Hoc tamen solicitudinis tuæ sit, ut locum ei pœnitentiæ constituas, et in aliquo eum monasterio retrudas, laica tantummodo sibi communione concessa.

[17] Conc. Ilerden. can. 5. ap. Grat. Dist. 50. cap. 52. Si iterato velut canes ad vomitum reversi fuerint, non solum dignitate officii careant, sed etiam sanctam communionem, nisi in exitu, non percipiant.

[18] Forbes, Irenic. lib. 2. cap. 11. p. 222. Depositus depositione plena et perfecta non valide exercet ea, quæ sunt ordinis, quia ipso caret ordine et potestate ordinis. Et jam non nisi laicus est, et tanto deteriore conditione quam alii laici, quod longe difficilior sit ejus restitutio, quam aliorum laicorum promotio.

which was never done but upon some great necessity, or very pressing reason; as in the case of Maximus the confessor, when he returned from the Novatian schism, and brought over a great multitude of the people with him; Cornelius, bishop of Rome, in regard to him as a confessor, and as one that had done good service to the church by the influence of his example, dispensed with the general rule for his sake, and received him[19] to his place in the presbytery again; and the council of Nice allowed the same favour to the Novatians, and the African fathers to the Donatists, with a charitable view, to put an end to those great and inveterate schisms. But these were only exceptions to the common rule, and dispensations with the general orders and standing discipline of the church.

Sect. 5. Notwithstanding the pretence of the indelible character of ordination.

It may perhaps be said, there was still an inherent power and authority in such deposed clerks, and that their deposition did not totally annul their ordinations: for they still retained the indelible character of their respective orders; and therefore they might be ministers still, and their ministerial actions stand good and authentic, notwithstanding any power and authority in the church to depose and degrade them. But as this is next to a contradiction in itself, that a man should be deposed from his order, and yet retain his order still, with all the spiritual power belonging to it; so it implies such a notion of that which is commonly called, the indelible character of ordination, as no ancient writer ever thought of. For the notion that the ancients had of the indelible character of ordination, was no more than they had of the indelible character of baptism; that as the outward form of baptism, washing or immersion in water, though but a transient act, served for ever to distinguish a Christian from a mere heathen or Jew; so as that, though he apostatized from the Christian faith into Judaism, or Gentilism, he should still retain so much of the Christian character, as upon his conversion and return to the faith not to need a second baptism: in like manner the outward form of ordination, which is imposition of hands designing a man to any clerical office, though it be but a transient act, was sufficient to distinguish such a one from a mere layman, who never had any such ceremony of ordination; so that by this mark or character of his office once received, though he should afterward forfeit his office, and all the power and honour belonging to it, he would always remain distinguished, in some measure, from those who never had such an office; and though he should be wholly divested of his office and power, and reduced to the simple capacity and condition of a layman, yet so much of the marks and footsteps of his former office would remain upon him, as that if he should be recalled again to his office, though he might need a new commission, he would not need this outward character or ceremony of a new ordination. There is no one has explained or illustrated the sense of the ancients upon this point with more accuracy than the learned Dr. Forbes; and therefore, for further confirmation, I shall here transcribe his words: "There remains,"[20] says he, "some distinguishing character in a man that is deposed, by which he is distinguished from other laymen: but to make this distinction, it is not necessary there should be any form impressed, but a transient act that is long ago past is sufficient, viz. that he was once a person ordained. The character that remains in a deposed person, is not the character of any present office or power, but only some footstep or mark of an honour that is past, and of a power that he once had; by which footstep he is distinguished from other laymen, who never were ordained; and may, after a sufficient penance performed, if he be found fit, and the advantage of the church so require, be restored again without a new ordination." As if a prince should imprint upon his nobles the marks and characters of the offices which they bear under him; making the impress or figure of a key upon the arm of his chamberlain with a hot iron, and the image of a horse upon the arm of the master of his horse, and the image of a cup upon the arm of his butler: and after this it should happen, that the prince, being justly offended at them, should depose them from their offices, and put others in their room, signing them with the characters of their offices likewise; those marks which, in the officers who were not deposed, were characters of their present power, would, in those that were deposed, be only footsteps of their by-past power; and whatever thing they who were deposed should do relating to those offices, would have no more validity, than if it was done by any private man, who never bare any such office. Yet in this there would be a difference, that if the prince pleased to restore those whom he had deposed, there would be no need to set a new mark upon them; but that footstep or remains of their ancient power would now become again the character of their present power. By this illustration, which

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[19] Cornel. Ep. 46. al. 49. ad Cypr. p. 93. Maximum presbyterum locum suum agnoscere jussimus.

[20] Forbes, Irenic. lib. 2. cap. 11. p. 224. Manet quidem in deposito aliquid distinctivum, quo ab aliis laicis distinguitur: ad distinctionem autem non est necessaria aliqua impressa forma, sed sufficit actus transiens in præteritum, nempe quod sit aliquando ordinatus. Manet in deposito non character præsentis alicujus officii aut potestatis, sed vestigium quoddam præteriti honoris et aliquando habitæ potestatis: per quod vestigium ab aliis laicis, nunquam ordinatis, distinguitur: et peracta sufficienti pœnitentia, si idoneus inveniatur, et utilitas ecclesiæ postulet, restitui poterit absque nova ordinatione, &c.

justly represents the sense of the ancients, it is easy for any one to apprehend, how far the discipline of the church in deposing clergymen extended: namely, that it not only suspended them from the execution of their office, but deprived them of their office, and took away their orders from them; that they were thenceforth no more than laymen, only with this distinction, that they had the external character of a by-past office, which other laymen wanted; that now they had neither the office of clergymen, nor the power of it; nor were their actions of any other account in the church than as the actions of private men and laymen. Thus far the church proceeded in her censures of clergymen that submitted to her discipline, and were not refractory and contumacious: she allowed them the benefit of lay communion, which was a moderation of their punishment in regard to their submitting quietly to her discipline and censures.

Sect. 6. But sometimes excommunicated, as well as deposed, and denied the communion of laymen.

But if they continued contumacious and stubborn, opposing her first censures, and acting as clergymen in contempt of them; she then proceeded one degree further with them, adding to their deposition a formal excommunication, and denying them even the communion of laymen. Thus Arius, and many other first founders of heresies, were anathematized and excommunicated, as well as degraded. And there are abundance of instances of the like proceeding in Cyprian,[21] and the Apostolical Canons,[22] and the council of Sardica,[23] and the council of Colen,[24] and the council of Eliberis,[25] and the council of Rome[26] under Felix III. All which, because I have produced at large upon another[27] occasion, I think it needless to repeat them in this place.

Sect. 7. Sometimes removed and corrected by the assistance and authority of the secular power.

We are likewise to observe, that in case of contumacious contempt of her censures, the church sometimes had recourse to the secular powers; craving their aid and assistance, either to remove a stubborn clerk from his station and honourable post in the church, which he obstinately detained after deposition, or else to inflict some other punishment upon him for his chastisement and correction. We have seen several instances of this before in the general account of the exercise of discipline[28] upon all church members, related from Eusebius and the council of Antioch, and the third council of Carthage, and the African Code, where addresses are made, or appointed to be made, to the secular powers, some heathen, and some Christian, imploring their assistance to remove some obstinate and contumacious bishops and presbyters from their places, when they would not obey the decrees of the church, but retain their offices and preferments in spite of her censures. And of these I need not be more particular in this place; as neither of those other various temporal penalties which the wisdom of the state thought fit to inflict upon heretics in general, laymen as well as clergymen, to discountenance heterodoxy, and give more effectual force and vigour to the censures of the church; for of these I have given a sufficient account in discoursing of the punishments of heresy in the former Book.

Sect. 8. What meant by the punishment called *curiæ tradi*, or delivering up to the secular court.

But there was one particular civil punishment peculiar to delinquent clergymen, which must be taken notice of in this place. The ancient law comprises it under the name of *curiæ tradi*, delivering up to the secular court: which, as Gothofred observes,[29] has a different meaning in the ancient law from that which the modern use and practice has put upon it. For among the modern canonists, it signifies delivering a clergyman up to the secular judge after degradation, to be punished for some great crime with death, or such capital punishment as the church had no power to inflict upon him: but in the old law, the *curia* has a larger sense, not only to denote a judge's court, but the corporation of any city, the members of which were commonly called, *decuriones et curiales*. In this there were some honourable, and some servile offices. And therefore when a clergyman was degraded for any offence, and reduced to the quality of a layman; then, besides that he lost all the privileges and exemptions that by law and imperial favour belonged to the clergy, he was obliged to serve the *curia*, or secular corporation of his city, and that many times only in some mean office and servile condition, by way of additional civil punishment for having transgressed the laws of the church, and the rules of his sacred profession and venerable function. And this was a certain way of precluding him from all hopes ever after of regaining his clerical dignity again. For as the laws absolutely prohibited[30] any of the *curiales* to be ordained at first, because they were tied to certain municipal and civil offices inconsistent with the spiritual; so if any of the clergy were once degraded and taken into the power of the secular *curia*, or corporation, there was no possibility of their returning to the ecclesiastical state again. And therefore Honorius made this a law, that the *curia* should immediately

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21 Cypr. Ep. 49. al. 52. ad Cornel. p. 96.
22 Canon. Apost. 29 et 30.
23 Conc. Sardic. can. 1 et 2.
24 Conc. Agrippin. ap. Crab. t. 1. p. 317.
25 Conc. Eliber. can. 18 et 76.
26 Conc. Rom. 3. sub Felice III. Conc. t. 4. p. 1076. can. 2.
27 Scholast. Hist. of Bapt. Part II. chap. 5.
28 Book XVI. chap. 2. sect. 3.
29 Gothofred. in Cod. Theod. lib. 16. Tit. 2. de Episc. Leg. 39.
30 See Book IV. chap. 4. sect. 4. and Book V. chap. 3. sect 15 and 16.

lay hold of such delinquents, to render their punishment irreversible and perpetual. If a bishop, says the law,[31] shall condemn any clergyman as unworthy of his office, and separate him from the ministry of the church, or if any one voluntarily desert his sacred profession, let the *curia* immediately lay claim to him, that he may no longer be at liberty to return to the church again; and according to the quality of the man, or the quantity of his estate, let him either be taken into the *curia*, or some collegiate company of the city, and be obliged to undergo those public burdens or necessities which he shall be found qualified for, and this without any collusion, under the penalty of a forfeiture of a considerable sum of gold, to be levied upon the *decemprimi*, the ten principal men of the *curia*, if they connived at any such collusion: and the offending clerk so degraded is further tied up by a negative punishment, never to hold any office or place under any of the secular judges. Justinian renewed and confirmed this law in one of his Novels,[32] and by another imposed a like punishment upon any monk that should desert his monastery, to betake himself to any secular employment: such a one was to serve[33] all his life in some mean and servile office under the judge of the province; and only have this fruit of his change, that for despising his sacred ministry he should be tied to the slavish attendance upon an earthly tribunal.

But besides this there was another way of delivering over delinquent clergymen to the secular courts and civil judges; which was, when they committed such crimes as were properly of civil cognizance, and might be heard and punished as crimes against the state and commonwealth. For clergymen were considered in a double capacity, as ministers of the church, and as members of the commonwealth. Whatever crimes they committed in the first capacity, they were indeed liable primarily to be judged by the bishops of the church, as the proper judges of ecclesiastical causes: yet if their crimes were very flagrant, such as heresy, or simony, though these were properly ecclesiastical causes, yet the criminals might be turned over to the secular judges, after the ecclesiastical sentence was passed upon them: for such crimes were punished both by church and state with their respective censures. If their crimes were such as more nearly and directly affected the peace and tranquillity of the commonwealth; such as treason, and sedition, and murder, and robbery, and the practice of magical and pernicious arts; in that case bishops not only might, but were obliged, *ex officio*, to turn over a degraded clerk to the secular court and a competent judge, to be punished according to the quality of his offences. There is a famous instance relating to this matter in the history of the acts of the council of Chalcedon, reported out of the acts of the council of Tyre, where Ibas, bishop of Edessa, was accused for intending to promote one Abraamius, a deacon, to a bishopric, when he had confessed himself guilty of magical practices before the bishop and all the clergy: and it is added by way of aggravation of the bishop's fault,[34] that he kept the paper of his magical enchantments by him, when he ought to have presented the execrable criminal to the judge of the province, according as the laws directed. By which one instance it is easy to apprehend, that there were some crimes both of ecclesiastical and civil cognizance; and when any such a clergyman was deposed in an ecclesiastical court, the bishop was obliged to remit him to a secular judge, to be punished with civil punishments, as a layman, according to the nature and quality of his offences. And in this case I conceive they treated him as an excommunicate person, not barely reduced to lay communion, but one degree lower, being thrust down to the lowest rank of notorious criminals, and denied the common benefit and privilege of those who were allowed to partake of the communion of laymen. Of which kind of censure there are several instances in the Apostolical Canons, and the councils of Eliberis, Colen, and Sardica; which, because I have produced them at large upon another occasion,[35] I forbear to relate them in this place, and proceed to another inquiry, concerning the punishment which was commonly called *communio peregrina*, or reducing clergymen to the communion of strangers.

CHAPTER III.

OF THE PUNISHMENT CALLED PEREGRINA COMMUNIO, OR REDUCING CLERGYMEN TO THE COMMUNION OF STRANGERS.

Sect. 1. The several canons wherein this punishment is mentioned.

THERE is no one question in all the ancient discipline that has more exercised the pens of learned men than this about the punishment called *peregrina com-*

[31] Cod. Theod. lib. 16. Tit. 2. de Episcopis, Leg. 39. Quemcunque clericum indignum officio suo episcopus judicaverit, et ab ecclesiæ ministerio segregaverit: aut si qui professum sacræ religionis sponte dereliquerit, continuo sibi eum curia vindicet: ut liber illi ultra ad ecclesiam recursus esse non possit: et pro hominum qualitate, et quantitate patrimonii, vel ordini suo, vel collegio civitatis adjungatur; modo, ut quibuscunque apti erunt publicis necessitatibus obligentur, &c.

[32] Justin. Novel. 123. cap. 14.

[33] Ibid. 5. cap. 6. Hunc habebit mutationis fructum, ut qui sacrum ministerium despexerit, tribunalis terreni observet servitium.

[34] Conc. Chalced. Act. 10. Conc. t. 4. p. 648.

[35] Scholast. Hist. of Baptism, Part II. chap. 5.

munio, the communion of strangers. It plainly appears from all the canons wherein any mention is made of it, that some punishment is intended to be peculiarly inflicted on the clergy for some special offences; but it is not so easy to discover what sort of punishment it was. I will first set down the canons that mention it, and then the different sentiments of learned men concerning it, pointing out that which seems to be the most rational account of it, with some confirmation out of ancient history. The first council that mentions it is the council of Riez,[1] anno 439, where it is determined in the case of a schismatical bishop returning to the catholic church, that he shall only be allowed to be a *chorepiscopus* in some country church under another bishop, or else be content with the communion of strangers. The next council that mentions it is the council of Agde,[2] anno 506, where, in one canon, it is determined, That if any clergyman be found guilty of robbing the church, he shall be reduced to the communion of strangers. And in another,[3] If any contumacious clerk despises the communion, or neglects to frequent the church, or fulfil his office, he shall be reduced to the communion of strangers, so as that, when he repents and reforms, he may have his name written again in the *matricula*, or roll of the clergy, and obtain his degree and dignity as before among them. After this, in the council of Lerida, anno 539, we find a like decree,[4] That in case any clergyman, upon the death of the bishop, pillage his house, or suppress any thing by fraud to the detriment of his successor, he shall be reputed guilty of sacrilege, and condemned with the greater excommunication, and at the utmost only be allowed the communion of strangers. These are the canons wherein this punishment, or moderation of punishment, (call it which you please,) is mentioned; but so little light can be had from the canons themselves, as to the nature of the punishment, that it is no great wonder that learned men have run into various opinions about it.

Sect. 2. The communion of strangers not the same as lay communion.

Some confound it altogether with lay communion, as Binius in his Notes upon the council of Lerida,[5] and Hospinian,[6] and the old Gloss upon Gratian.[7] But it is no ways probable that the ancient church would use two such different names for the same thing, when lay communion was a word so commonly known among them. Besides that these two things were evidently different from one another; for clergymen reduced to lay communion were totally and perpetually degraded from their orders, and could not ordinarily be restored to their office again, but ever after continued in the state of laymen, as has been evidently demonstrated in the foregoing chapter; whereas clergymen reduced to the communion of strangers, were still capable of being restored to their office again after the performance of a certain penance, as is expressly said in the forementioned canon of the council of Agde, can. 2.

Sect. 3. Nor communion in one kind.

Bellarmine[8] and others not only take it for lay communion, but boldly assert, that that lay communion was communion only in one kind; so that when a clergyman is said to be reduced to lay communion, it is the same thing, according to them, as being put down to receive the communion among laymen only in one kind. But this is only multiplying of obscurities, and confounding a reader by adding one error to another. For as the ancients speak of lay communion and the communion of strangers as different things, so they had no such notion of lay communion as these writers pretend; for all public communion, both of clergy and laity, in the primitive church, was in both kinds, as has been evidently demonstrated in a former Book,[9] and is now ingenuously confessed by the most learned and accurate writers in the Romish church. So that this opinion, which confounds the communion of strangers with communion in one kind, is without all shadow of truth, and has not the least foundation in antiquity to support it.

Sect. 4. Nor communion at the hour of death.

The author of the Gloss upon Gratian has another pleasant interpretation; for he fancies it may signify communion at the hour of death, when a man leaves the world, and departs out of this life to take a pilgrimage into the next life and world to come.[10] But this is only fit to make an intelligent reader smile. For it is very improper to call death a pilgrimage, which, more strictly speaking, according to Scripture language, is rather a translating of men to their native country, their heaven and their home. Men are said to be strangers and pilgrims upon earth, because they are absent from

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[1] Conc. Rhegien. can. 3. Liceat ei in unam parochiarum suarum ecclesiam cedere, in qua aut chorepiscopi nomine, aut peregrina, ut aiunt, communione foveatur.

[2] Conc. Agathen. can. 5. Si quis clericus furtum ecclesiæ fecerit, peregrina ei communio tribuatur.

[3] Ibid. can. 2. Contumaces clerici ab episcopis corripiantur: et si qui prioris gradus elati superbia, communionem fortasse contempserint, aut ecclesiam frequentare, vel officium suum implere neglexerint, peregrina eis communio tribuatur, ita ut cum eos pœnitentia correxerit, rescripti in matricula, gradum suum dignitatemque suscipiant.

[4] Conc. Ilerden. can. 15. Si quisquam clericus quacunque occasione quidpiam probatus fuerit abstulisse, vel forsitan dolo aliquo suppressisse, reus sacrilegii, prolixiori anathemate condemnetur, et vix quoque peregrina ei communio concedatur.

[5] Binius, Not. in Conc. Ilerden. can. 15.

[6] Hospin. Histor. Sacramentar. lib. 2. cap. 1. p. 24.

[7] Gloss. in Gratian. Caus. 13. Quæst. 2. cap. 11.

[8] Bellarm. de Euchar. lib. 4. cap. 24. p. 679.

[9] Book XV. chap. 5. sect. 1, &c.

[10] Gloss. in Grat. ubi supra. Peregrina communio, id est, cum recedit vel peregrinatur de hoc mundo.

heaven, the city and country to which they belong; therefore leaving this world cannot be said to be entering upon a pilgrimage, but, in propriety, rather ending and finishing a pilgrimage, to go to their everlasting home. Therefore if the ancients spake properly, as no doubt they did, they could not mean by the communion of strangers, the communion of dying persons, or such as were taking a pilgrimage out of this world. Besides that the very canon of the council of Agde, which the glosser pretends to explain, makes the communion of strangers not to be the communion of dying persons, but such as are living, and in a capacity to return to officiate as clergymen (after a sufficient correction) in their former station.

Sect. 5. Nor the communion of such as were enjoined to go on pilgrimage on earth by way of penance, a piece of discipline unknown to the ancients.

Cardinal Bona mentions[11] and exposes another more fanciful opinion of one Gabriel Henao, who, he says, wrote a long dissertation upon this subject,[12] wherein he at last concludes, That the communion of strangers was that which was given to such clergymen as were enjoined to go on pilgrimage, either temporary or perpetual, by way of penance for their offences. But he no way explains what kind of communion this was; and, as Bona observes, he ought to have demonstrated, that when the canons about the communion of strangers were made, there was any such punishment as pilgrimages enjoined the clergy for the expiation of their offences: for there is a profound silence in antiquity as to what concerns any such injunction.

Sect. 6. Nor any private and peculiar oblation for strangers.

Cassander[13] and Vossius,[14] after some of the schoolmen and canonists, think the communion of strangers means the oblation of the eucharist made after some peculiar rite and on some particular days for the use of strangers; and that it was put upon delinquent clergymen as a punishment to communicate with these. But there was no such custom as this of making any particular oblation of the eucharist for strangers in the ancient church: for all travellers and strangers, when they came to a foreign church, if they brought communicatory or commendatory letters with them, were admitted to communicate with the church wherever they happened to sojourn; and if they did not bring communicatory letters, they were denied communion till they should procure them. Meanwhile they were allowed to communicate in external good things, or partake of the charity of the church, if they were in necessity, though they were debarred from all religious communion as suspected persons. And by this distinction we shall be able to come at the true meaning of the communion of strangers.

Sect. 7. But communicating only as strangers travelling without commendatory letters, who might partake of the church's charity, but not of the communion of the altar.

For we are to observe, that communion in the ancient church signifies not only partaking of the eucharist, or communion of the altar; but also partaking of the charity of the church. And such travellers as came to any foreign church without communicatory letters to testify their orthodoxy and pious conversation, were presumed to be under some censure, and not in actual communion with their own church: till, therefore, they could clear themselves of this suspicion, by the rules of catholic unity and communion of all churches mutually with one another, they were to be refused communion in a foreign church, and only to be allowed common charity as strangers. And according to these measures, clergymen who were delinquents were for some time treated much after the same manner, and thereupon said to be reduced to the communion of strangers: that is, they might neither officiate as clergymen in celebrating the eucharist, nor any other part of their office; nor in some cases participate of the eucharist for some time, till they had made satisfaction; but only be allowed a charitable subsistence out of the revenues of the church, without any legal claim to a full proportion, till by a just penance they could regain their former office and station. This is the most probable account that can be given of a difficult and doubtful matter, and learned men now generally concur in the substance of this explication; as the reader that is curious may see in the writings of Albaspinæus[15] and Bona,[16] Schelstrate,[17] Priorius,[18] Petavius,[19] Dominicy,[20] and Sirmond;[21] not to mention the hints and strictures occasionally made about it by Lindanus,[22] Baronius,[23] and Peter de Marca,[24] all writers of the Romish communion; whom I the rather name upon this account, to expose more fully the vanity of Bellarmine and his adherents, who with a great deal of confidence would persuade the world, that they had discovered the lay communion of their church under one species, as they call it, in this ancient communion of strangers, when yet they differ as much almost as any two things from one another. Among protestant writers the true notion is well expressed by Dr. Sherlock,[25] when he observes, "That the ancient discipline was very severe in admitting

[11] Bona de Rebus Liturg. lib. 2. cap. 19. n. 5.
[12] Henao de Sacrific. Missæ, part. 3. Disput. 28. n. 49.
[13] Cassand. de Communione sub utraque specie, p. 1029.
[14] Voss. Thes. Theol. p. 516.
[15] Albasp. Observat. lib. 1. cap. 3.
[16] Bona de Rebus Liturg. lib. 2. cap. 19. n. 6.
[17] Schelstrat. Not. in Conc. Antioch. p. 397.
[18] Priorius de Literis Canonicis, Titul. 11. p. 38.
[19] Petav. Not. in Synesii, Epist. 67. p. 78.
[20] M. Anton. Dominicy, de Commun. Peregrina.
[21] Sirmond. Hist. Pœnitentiæ, cap. ult.
[22] Lindan. Panoplia, lib. 4. cap. 58.
[23] Baron. an. 400. p. 119.
[24] Marca, Dissert. in Cap. Clericus, ad calcem Baluzii de Emendat. Gratiani, p. 583.
[25] Sherlock of Church Unity, in Defence of Stillingfl. p. 602.

strangers, who were unknown to them, to the communion; lest they should admit heretics, or schismatics, or excommunicated persons: and therefore if any such came, who could not produce their recommendatory letters, but pretended to have lost them by the way, they were neither admitted to communion, nor wholly refused, but, if occasion were, maintained by the church, till such letters could be procured from the church from whence they came, which was called the *communio peregrina*."

Sect. 8. This notion confirmed from several parts of ancient history.

This notion seems the more agreeable, because it comes recommended and confirmed by several facts in ancient history. Synesius, writing to Theophilus, bishop of Alexandria, concerning one Alexander, bishop of Basinopolis in Bithynia, who lay under some suspicion at Ptolemais, tells him, he neither received him in the church, nor communicated[26] with him at the holy table, but in his own house he treated him as an innocent person. And thus the historians tell us[27] Chrysostom treated the Egyptian monks, who, being prosecuted by Theophilus, bishop of Alexandria, fled to Constantinople, to have a fair hearing of their cause before the emperor: he entertained them hospitably, and allowed them to join in the common prayers with the church, but would not admit them to participate of the eucharist whilst their cause was depending and undetermined. From which it is evident, that strangers travelling without recommendatory letters might be allowed some common offices of Christian charity, but could not be admitted to Christian communion. And so it was determined expressly in the Apostolical Canons,[28] That if any strange bishops, presbyters, or deacons, travelled without commendatory letters, they should neither be allowed to preach, nor be received to communion, but only have τὰ πρὸς τὰς χρείας, what was necessary to answer their present wants, that is, a charitable subsistence. In the first council of Carthage likewise a rule was made,[29] That neither clergyman nor layman should communicate in a strange church without the letters of their bishop, for fear of surreptitious communion. And in every council almost there is a canon to the same purpose. So that according to the treatment of strangers, whether clergymen or laymen, in a strange church, such was the discipline exercised upon delinquent clergymen in their own church: they were suspended from their office and communion, but allowed a necessary subsistence, which was properly the *communio peregrina*, or reducing them to the communion of strangers.

Sect. 9. What sort of penance was necessary to restore such delinquent clergymen to their office and station again.

There remains but one difficulty now to be accounted for in this matter; which is, what sort of penance that was which the church required of such delinquent clergymen, in order to restore them to their office and station again. That they might be restored by penance, is evident from the forementioned canon of the council of Agde,[30] which allows it; and in this the communion of strangers chiefly differed from the communion of laymen, that the one allowed a delinquent clergyman to be restored to his office, and the other ordinarily did not: but then there arises a difficulty from other canons, which both forbid[31] any one to be ordained who had done public penance whilst he was a layman; and also prohibit clergymen, who were reduced to public penance, ever to recover their ancient[32] dignity and station again. Concerning both which points of discipline, besides the canons, St. Austin is an irrefragable witness in reference to practice; for he testifies,[33] that this was the order of the church, that no one who had done penance for any crime should be admitted to any clerical degree, or return to it after correction, or continue in it: which was done, not to make any one despair of pardon, but only to comply with the strict discipline of the church. How then can it be said, that the communion of strangers allowed clergymen to recover their office and dignity by doing penance, when these canons for doing penance so plainly took it from them? To this it is easily answered by distinguishing between public and private penance: the canons which forbid clergymen to be restored to their office after having done penance, speak of public penance done solemnly in the church; but the other canons, which allow them to be restored, speak of private penance only. And that this is no arbitrary distinction, but of the church's own making, is evident from the canons themselves. For the council of Girone allows[34] such as have done private penance in time of sick-

[26] Synes. Ep. 66. ad Theotimum, leg. Theophilum.

[27] Socrat. lib. 6. cap. 9. Sozomen. lib. 8. cap. 13.

[28] Canon. Apost. 33.

[29] Conc. Carthag. 1. can. 7. Clericus vel laicus non communicet in aliena plebe sine literis episcopi sui. Nisi hoc observatum fuerit, communio fiet passiva. Vid. Conc. Antioch. can. 7. Laodicen. can. 41. Milevitan. can. 20. Agathen. can. 52. Epaunen. can. 6.

[30] Conc. Agathen. can. 2.

[31] Conc. Nic. can. 10. Carthag. 4. can. 56 et 68. Tolet. 1. can. 2. Agathen. can. 43. Epaun. can. 3.

[32] Conc. Carth. 5. can. 11. Leo, Ep. 90. ad Rustic. c. 2.

[33] Aug. Ep. 50. ad Bonifac. p. 87. Ut constitueretur in ecclesia, ne quisquam post alicujus criminis pœnitentiam clericatum accipiat, vel ad clericatum redeat, vel in clericatu maneat, non desperatione indulgentiæ, sed rigore factum est disciplinæ.

[34] Conc. Gerunden. can. 10. Qui ægritudinis languore depressus, pœnitentiæ benedictionem (quam viaticum deputamus) per communionem acceperit, et postmodum reconvalescens caput pœnitentiæ in ecclesia publice non subdiderit; si prohibitis vitiis non detinetur obnoxius, admittatur ad clerum.

ness, and received absolution upon it, afterwards to be ordained, provided they never were brought to do public penance in the church, and there was no other objection of immorality to be made against them. In like manner Gennadius, recounting the several things that hindered a man from being ordained, reckons his having done public penance[35] a sufficient objection against him; but as for private penance, he takes no notice of it. Therefore by this rule we are to interpret all the canons which forbid penitents to be ordained at first, or deny clergymen after penance the liberty of regaining their ancient station; they are to be understood of public penance, and not of private. And so this seeming difficulty and contradiction of the canons is easily adjusted, whilst the council of Agde, which allows clergymen, reduced to the communion of strangers, liberty of resuming their office again after penance, must necessarily be interpreted of private penance, and not of public. And this makes it evident, that this reducing of clergymen to the communion of strangers was only a temporary suspension of them from their office, and not a total degradation, or reduction of them to the state and quality of laymen.

CHAPTER IV.

OF SOME OTHER SPECIAL AND PECULIAR WAYS OF INFLICTING PUNISHMENT ON THE CLERGY.

Sect. 1. Sometimes the clergy perpetually suspended from their office yet allowed to retain their title and dignity.

BESIDES these more general and usual ways of punishing the offending clergy, there were also some less noted and uncommon ways of censuring them, which it will not be amiss to observe, whilst we are upon this subject. Among these we may reckon that sort of suspension which deprived them entirely of the exercise of their office, and yet allowed them to retain their title and dignity. This was a sort of middle way between a temporary suspension and a perpetual degradation: for they were still allowed to communicate among the clergy, and not entirely reduced to the communion of laymen. Thus in the council of Ancyra,[1] those presbyters who had sacrificed to idols, but afterwards returned, and became confessors, were allowed to keep their dignity and title of presbyters, and sit among the rest in the presbytery; but not to preach, or offer the eucharist, or perform any other office of the sacred function. The same is decreed[2] concerning deacons lapsing into idolatry, that they might retain their honour, but cease from all administration of the sacred office, neither distribute the bread nor the cup, nor minister as the common præcos or criers of the church, unless the bishop, in consideration of their great pains, humility, or meekness, thought fit to allow them more or less of their office, which was left entirely to his discretion. The council of Nice made a like decree[3] concerning the Novatian bishops, whom they degraded to the order of presbyters, but yet permitted them to retain the title of bishops, if the bishop of the place thought fit to allow it. And the same was determined in the case of Meletius, by the same synod,[4] that he might retain the bare name and honour of a bishop, but never after officiate in his own church, or any other. So in the canons of St. Basil,[5] a delinquent presbyter is allowed to sit among the rest, but obliged to abstain from all offices belonging to his order. And an offending deacon[6] is suspended from his ministry, but yet allowed to partake of the holy elements among the other deacons. The council of Agde[7] has a like decree about presbyters and deacons, who were digamists, or had married the relict of some other man; that though some former rules of the fathers had ordered them to be more severely handled, yet such respect and tenderness should be showed to those who were already ordained, that they might retain the name of presbyters and deacons: but the presbyters should neither presume to consecrate, nor the deacons to minister in the church. A like determination was made by the general council of Ephesus,[8] in the case of one Eustathius, metropolitan of Pamphylia, who, for the love of a private life, and some troubles that he met with in his office, voluntarily relinquished and deserted his bishopric against canon, but afterward petitioned the council that he might enjoy the name and honour of a bishop still: in which request the council gratified him, out of regard to his age and quiet temper; allowing him both to have the name and honour and communion of a bishop, but with this condition, that he should neither ordain, nor take any church to officiate in as a priest by his own authority, unless he was admitted as a coadjutor, or expressly allowed by the bishop of the place.

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[35] Gennad. de Eccles. Dogm. cap. 72. Clericum non ordinandum, qui publica pœnitentia mortalia crimina deflet. Vid. Conc. Tolet. 1. can. 2. Pœnitentem dicimus, qui publicam pœnitentiam gerens, sub cilicio, divino fuerit reconciliatus altario.

[1] Conc. Ancyr. can. 1. [2] Ibid. can. 2.

[3] Conc. Nic. can. 8.

[4] Conc. Nic. Epist. Synod. ap. Theod. lib. 1. cap. 9. Socrat. lib. 1. cap. 9. Sozomen. lib. 1. c. 24.

[5] Basil. can. 27. [6] Ibid. can. 70.

[7] Conc. Agathen. can. 1. Placuit de digamis, aut internuptarum maritis, quanquam aliud patrum statuta decreverint, ut qui hucusque ordinati sunt, habita miseratione, presbyteri vel diaconi nomen tantum obtineant: officium vero presbyteri consecrandi, vel ministrandi hujusmodi diacones non præsumant.

[8] Conc. Ephes. Ep. Synod. ad Synodum Pamphyl. Conc. t. 3. p. 808

Sect. 2. Sometimes degraded, not totally, but partially, from one order to another.

It appears from one of the forementioned canons,[9] that there was such a punishment also as a partial degradation; which was when the clergy were not totally deprived of all clerical degree and office, but only thrust down from a higher order to a lower by way of discipline and correction. Thus the council of Nice treated the Novatian schismatics, admitting those who had passed for bishops among them, to officiate only as presbyters in the catholic church, unless any bishops would promote them to the office of a *chorepiscopus* under their jurisdiction. And so the council of Neocæsarea[10] orders deacons that sin to be thrust down and degraded to the order of subdeacons. And by this rule it was, as Valesius[11] observes out of St. Jerom's Chronicon, that Cyril of Jerusalem degraded Heraclius from the order of a bishop to that of presbyter. But the council of Chalcedon seems not to have approved of this rule: for in one of her canons it is said to be sacrilege[12] to bring down a bishop to the degree of a presbyter; and that, therefore, if there be any just cause to remove a bishop from the exercise of his episcopal function, he ought not to hold the place of a presbyter neither. By which we may conclude, that this point of discipline varied according to the different apprehensions and sentiments of men in different ages.

Sect. 3. Sometimes deprived of a part of their office, but allowed to exercise the rest.

Sometimes, again, they were deprived of their office as to some particular act of it, but allowed to exercise the rest. Thus the council of Neocæsarea orders, That if any presbyter confessed that he had been guilty of any corporal uncleanness before his ordination, he should not[13] consecrate the eucharist, but might continue in the exercise of all other parts of his office, if he was a man diligent in his function. And in the fourth council of Carthage it was decreed, That if a bishop ordained[14] any one wittingly who had done public penance, (the ordination of which was prohibited by the canons,) he should for his transgression be deprived of his episcopal power, as to what concerned the particular act of ordaining only; which implies, that he was still allowed to exercise all other parts of his office and function.

Sect. 4. Sometimes deprived of their power over a part of their flock, but allowed it over the rest.

In Africa we sometimes find bishops, for their mal-administration and indiscreet government, deprived of their power over some part of their flock, and yet allowed still to govern the rest. This may be collected from St. Austin's account of their proceeding with one Antonius, a young bishop, who had oppressed some of his people at Fussala by unreasonable exactions; for which it was thought fit to punish him with this gentle correction, that he should no longer rule over[15] that part of his people whom he had so oppressed, lest their grief and impatience should break out into some violent attempts that might be dangerous to both parties. Antonius indeed complained of this as an infringement of his just rights and powers; for he pleaded, that a bishop ought either to be deposed, or to be left in the full exercise of his jurisdiction and power. But St. Austin shows, that this was no new thing in Africa, nor unreasonable in itself; for a bishop may be guilty of many misdemeanors, for which it will neither be proper to let him go wholly unpunished, nor yet to use such severity as to deprive him universally of his episcopal honour and power. In such cases the middle way proves the most useful correction; neither to use too great severity above the nature of the offence, nor too much lenity and mildness, to let it pass entirely without any censure or correction. And he shows that this was a method often taken in Africa for less faults in other instances of punishment.

Sect. 5. Bishops in Africa punished by depriving them of their seniority and right of succeeding to the primacy or metropolitical power.

Particularly in Africa, (where the primacy of metropolitans always went by seniority of ordination, so that the oldest bishop always regularly succeeded to the primacy of course, whatever diocese he was possessed of,) it was customary to punish an offending bishop with the loss of his seniority and right to the primacy, by rendering him incapable of ever attaining it. This we learn from St. Austin in the same epistle,[16] where he gives an instance in one Priscus, of the province of Mauritania Cæsariensis, who was thus censured; and if Antonius's argument had been good, Priscus might have pleaded the same, that he ought either to have been allowed his right of succeeding to the primacy, or to have been deprived of his bishopric; but the African discipline took the middle way, for certain crimes neither to deprive bishops of their episcopal power, nor to let them go wholly unpunished.

Sect. 6. Also by confining them to the com-

Another instance of this discipline was to confine an offending bishop to

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[9] Conc. Nic. can. 8.

[10] Conc. Neocæsar. can. 10. Vid. Conc. Tolet. 1. can. 4. Conc. Trull. can. 20.

[11] Vales. Not. in Sozomen. lib. 4. c. 30.

[12] Conc. Chalced. can. 29.

[13] Conc. Neocæsar. can. 9. Μὴ προσφερέτω, μένων ἐν τοῖς λοιποῖς, διὰ τὴν ἄλλην σπουδήν.

[14] Conc. Carthag. 4. can. 68. Si sciens episcopus ordinaverit talem, etiam ipse ab episcopatus sui, ordinandi duntaxat, potestate privetur. Vid. Conc. Taurin. c. 2.

[15] Aug. Ep. 261. Honorem integrum servavimus juveni corrigendo, sed corripiendo minuimus potestatem, ne scilicet eis præesset ulterius, cum quibus sic egerat, &c.

[16] Ibid. Clamet Priscus provinciæ Cæsariensis episcopus: aut ad primatum locus sicut cæteris et mihi patere debuit, aut episcopatus mihi remanere non debuit.

munion of their own church. the communion of his own church, and prohibit all other bishops from admitting him to communion in any of their churches. St. Austin mentions one Victor[17] who was thus censured, and he might have pleaded after the same manner; Either I ought to communicate in all churches, or not communicate in my own. But this was thought a reasonable way of discountenancing an offending bishop for some smaller faults, when they did not think them worthy of the highest censure; as in case a bishop neglected to come to the provincial synod at the primate's call, or ordained another man's clerk without his licence or approbation, which are some of the offences specified in the African synods,[18] for which a bishop might incur this censure.

Sect. 7. Or removing them from a greater diocese to a less.

St. Austin gives a third instance of this discipline in the African church; which was the removing of a negligent bishop from a greater diocese to a less, which was a kind of tacit reproach and dishonour to him, and the disgrace was his punishment. For as it was an honour for a bishop to be translated from a less diocese to a greater by the approbation and judgment of a venerable synod, (without which they might not move,) so it was a dishonour and reproach to him to be thrust down by a synodical decree, though not to a lower order, yet to a lower station. The one was an argument of merit and great worth, and the other an argument of some demerit and misdemeanor; and therefore the one was used by way of reward, to promote a bishop for his abilities and good service; and the other by way of punishment, to give a negligent bishop a little gentle admonition and moderate correction. And thus St. Austin tells us, one Laurentius, a bishop, was punished by the discipline[19] of the African church.

Sect. 8. The clergy in general punished by a loss of their seniority among those of the same order.

It was a moderate punishment, much of the same nature which the council of Trullo[20] mentions as common to all orders of the clergy in general; which was, to deprive them of their seniority, and sink them down to the lowest seat or degree among those of the same order. This was commonly the punishment of persons of an ambitious and assuming temper. The council instances in such deacons, as because they had some more honourable ecclesiastical office, would presume to take place of the presbyters, and sit before them; against whom they allege the parable of our Saviour, "When thou art bidden to a wedding, sit not down in the most honourable place, &c.: for he that exalteth himself, shall be abased; and he that humbleth himself, shall be exalted." The author of the Apostolical Constitutions takes notice of the same punishment, as used in his time, even among the laity also. For if an honourable person came into the assembly, being a stranger, and any one refused upon the deacon's admonition to give him place to sit down; he that so refused was to be removed by compulsion[21] beneath the lowest rank of hearers in the church. Cotelerius notes the same order as observed among the monks in the Rules of Pachomius and St. Benedict for smaller offences. And in the second council of Nice a like rule was made for the correction of the clergy, that if any one through haughtiness insulted another, he should for his offence[22] be thrust down to the lowest degree of his own order, to teach him humility and submission in his station.

Sect. 9. And rendering them incapable of being promoted to any higher order.

They had also a negative punishment of the same nature for all the inferior orders of the clergy, which was, to deny them all further promotion, and incapacitate them from attaining to any higher order in the church. The first council of Toledo has several canons to this purpose. The first canon orders,[23] That deacons who lived incontinently with their wives, should never arrive to the honour of presbytery, nor presbyters to episcopacy. This was one of the first steps made toward settling the celibacy of the clergy, which at first was introduced, not by disannulling the orders of the married clergy, but by debarring them from being advanced to any higher order. Another canon[24] appoints, That if a reader marries a widow, he shall never be promoted to any higher degree, but always continue a reader, or at most a subdeacon. And a third canon of the same council[25] decrees, That if any one after baptism had followed the soldier's life, though he had never happened to shed blood, if he were ordained to any of the inferior orders, he should never arrive to the dignity of a deacon in the church. A like decree was made in the council of Lerida, That if any clergyman, who ministered at the altar, shed human blood, though it were the blood of an enemy in the straitness of a siege, he should not only be suspended from his office and

[17] Aug. Ep. 261. Clamet alius ejusdem provinciæ Victor episcopus, cui relicto in eadem pœna, in qua et Priscus fuit, nusquam nisi in diœcesi ejus ab alio communicatur episcopo: clamet, inquam, aut ubique communicare debui, aut etiam in meis locis communicare non debui.

[18] Vid. Conc. Carthag. 5. can. 10 et 13. et Cod. Afric. can. 77 et 81.

[19] Aug. Ep. 261.

[20] Conc. Trull. can. 7.

[21] Constit. lib. 2. cap. 58.

[22] Conc. Nic. 2. can. 5.

[23] Conc. Tolet. I. c. 1. Placuit, ut diaconi, qui incontinenter cum uxoribus vixerint, presbyterii honore non cumulentur. Si quis vero ex presbyteris ante interdictum filios suos susceperit, de presbyterio ad episcopatum non admittatur.

[24] Ibid. can. 3. Lector, si viduam alterius uxorem acceperit, amplius nihil sit, sed semper lector habeatur, aut forte subdiaconus.

[25] Ibid. can. 8. Si quis post baptismum militaverit, et chlamydem sumpserit, aut cingulum ad necandos fideles, etiamsi gravia non admiserit, si ad clerum admissus fuerit, diaconii non accipiet dignitatem.

communion for two years, but, after he was restored to his office and communion again,[26] should remain incapable of being advanced to any higher office in the church. And there is another canon in the same council, which orders such clergymen as fall by the frailty of the flesh, after penance, to be received again; yet so as not to expect any[27] further promotion in the church. The first council of Orange and council of Turin[28] have canons to the same purpose: and Pope Leo delivers it as a rule, founded upon the general practice of the church, in the case of heretical clergymen returning to the unity of the faith, that they were to take it as a favour, if they were allowed to continue in the order they were in before, deprived of all[29] hopes of further advancement. Among the Greeks, St. Basil[30] has a like rule concerning readers, who were guilty of ante-nuptial fornication, that every such delinquent should be suspended a year from his office, *μένων ἀπρόκοπος*, remaining, moreover, for ever incapable of attaining to any higher station or preferment in the church. And Justinian, in one of his Novels,[31] made a parallel decree concerning readers, that if any of them married a second wife, or a widow, or one divorced from a former husband, or otherwise forbidden by the laws or sacred canons; that he should never be advanced to any other ecclesiastical order: or if by any means he happened to be unwarily so advanced, he should be put down again, and reduced to his former order. This was one of those negative punishments, which may be proper to discourage and correct offences of a lesser kind; and so far as it was serviceable to that end, it may be reckoned a useful part of the discipline of the church.

Sect. 10. The clergy sometimes punished by denying them the public exercise of their office, whilst they were allowed to officiate in private.

St. Basil mentions[32] another piece of discipline, which was pretty peculiar; for I remember no other writer at present that mentions it beside himself; that was to deny an offending clergyman the liberty of exercising his office in public, whilst he was allowed to officiate in private. This was a rule made by St. Basil, in the case of Bianor and some other presbyters of Antioch in Pisidia, who, upon some injury done them, had rashly sworn they would never execute the office of presbyters any more; but afterward repenting of their rash oath, were willing to be admitted to the exercise of their office again. St. Basil, being consulted in the case, determined, that they ought to be restrained from the public exercise of their function, because of the scandal and offence that might be given to many thereby; but still they might be allowed to officiate in private, where no such offence could be taken. These are the specialities of those punishments, which the discipline of the church commonly inflicted on clergymen for lesser offences; which I have the rather mentioned, because they are seldom to be met with in the accounts of church discipline given by modern writers.

Sect. 11. Of intrusion of offenders into a monastery to do penance in private.

To all these we may add, that in the fourth and fifth ages, when monasteries began to be settled in the world, nothing was more common than to confine an offending clerk to some monastery, either for a certain term, or during his whole life, as the nature of his temporary suspension or his perpetual deprivation required; there to exercise himself in acts of private repentance for his offences. This was a convenience rather than a punishment, giving them an opportunity of qualifying themselves the better either for a restoration to their office, or for their reception into lay communion; and therefore it was indifferently used both in cases of deprivation and suspension. Many who were only suspended from the exercise of their office for a certain time, were yet confined to a monastery during that term; as appears from one of Justinian's Novels, where it is ordered, That if a presbyter or a deacon was convicted of giving false evidence in a pecuniary cause, they should be suspended from their ministry for three years, and be confined[33] to a monastery during the time of their suspension. And this was in lieu of scourging, which was inflicted for this crime upon other offenders. The second council of Seville decrees the same[34] in the case of a clergyman who deserts his own church without his bishop's leave, and makes his residence in any other: he is to lose the badge of his honour and ordination for some time, and be bound to a monastery, till it be proper to recall him to the ministry of his ecclesiastical order again. But in case the punishment amounted to a total and perpetual deprivation, then they were frequently sent to a monastery for their

[26] Conc. Ilerden. can. 1. Ita demum officio vel communioni reddantur, ea tamen ratione, ne ulterius ad officia potiora promoveantur.

[27] Ibid. can. 5. Ita tamen, ut sic officiorum suorum loca recipiant, ne possint ad altiora officia ulterius promoveri.

[28] Conc. Arausican. 1. can. 24. Taurinen. can. 8.

[29] Leo. Ep. 3. ad Julianum, al. Januarium. Circa quos etiam eam canonum constitutionem præcipimus custodiri, ut in magno habeant beneficio, si adempta sibi omni spe promotionis, in quo inveniuntur ordine, stabilitate perpetua maneant, si tamen iterata tinctione non fuerint maculati.

[30] Basil. can. 69.

[31] Justin. Novel. 123. cap. 14. Si lector secundam ducat uxorem, aut primam quidem viduam, aut separatam a viro, aut legibus vel sacris canonibus interdictam, nequaquam ad alium ecclesiasticum ordinem provehatur: sed etsi ad majorem ordinem perducatur, expellatur eo, et priori restituatur.

[32] Basil. can. 17.

[33] Justin. Novel. 123. cap. 20. Sufficiat pro verberibus tribus annis separari a sacro ministerio, et monasteriis tradi.

[34] Conc. Hispalen. can. 3. Desertorem clericum, cingulo honoris atque ordinationis suæ exutum, aliquo tempore monasterio relegari, al. religari, convenit: sicque postea in ministerio ecclesiastici ordinis revocari.

whole lives, and there they spent the remainder of their days only in lay communion. Of which the canons of Agde and Epone[35] are full proof, to which I refer the learned reader in the margin.

Sect. 12. Of corporal punishment. How far used as a piece of discipline upon the inferior clergy.

We may observe further, that in the same ages, when it was the custom to shut delinquents up in a monastery, some corporal punishment and confinement in prison also was used, as a piece of church discipline, to correct the inferior orders. I have had occasion to show before,[36] that the larger churches had commonly their *decanica*, or prisons, for this purpose; which were not any one distinct building, but some of the *catechumenia*, or *diaconica*, or *secretaria*, belonging to the church, and made use of for this end, to put offending clerks to a more decent confinement in them. It has also been noted in another place,[37] that all monasteries had the discipline of the whip or scourge among them, to punish the junior monks and unruly offenders. And it is as certain it was also used for the correction of the inferior orders among the clergy. The council of Agde mentions it twice; first as the punishment[38] of those who wandered about from one church to another without the recommendatory letters of their bishop; whom the canon orders first to be corrected by words, and then by stripes, if they remained incorrigible upon admonition. Another canon appoints[39] the same discipline for drunkenness; A clerk who is convicted of being drunken, is either to be suspended thirty days from communion, or else to be chastised by corporal punishment. The council of Epone[40] expressly distinguishes between the superior and inferior clergy in the case; If one of the superior clergy feast with a heretic, he is to be suspended for a year; but one of the inferior for the same crime is to be beaten. The first council of Mascon[41] orders, That if a clergyman be found wearing an indecent habit, or carrying arms, he shall be imprisoned thirty days, and fed only with bread and water. This imprisonment was the punishment of the superior clergy; for in another canon the distinction is expressly made[42] in the case of one clergyman accusing another before a secular magistrate; if he was one of the superior clergy, he was to be imprisoned thirty days; if one of the inferior, to receive forty stripes, save one. And this was done in conformity to the rule in the law of Moses, that they should not exceed forty stripes; only, in case the crime was great, they might repeat them after some days; which is observed out of the Life of Cæsarius Arelatensis by the late French author of the Historia Flagellantium,[43] who cites many other writers, which need not here be mentioned. I only add that of St. Austin,[44] who says, this way of coercion was used in bishops' courts in his time; but whether he means towards the clergy, or the laity, is not absolutely certain. It might be towards both perhaps in lesser criminal causes, that were of an ecclesiastical nature; for as to those criminal causes which were of a civil nature, bishops had no power, especially in cases of blood; in which sort of judgments a bishop could not be concerned, without incurring himself the highest censures of the church; but they might have liberty to chastise the inferior clergy with corporal correction. The law indeed in many cases exempted the superior clergy from corporal punishment; as if a presbyter or a deacon gave false testimony in a pecuniary cause, they might be suspended, and sent to a monastery for a time, but not be corporally punished as other men. In criminal causes it was otherwise; false testimony in such a case deprived them of their orders, and reduced them to the state of laymen; and then, as other laymen, they were liable to corporal punishment, according as the laws required. But whether it were a pecuniary cause, or a criminal cause, if one of the inferior orders gave false testimony, in either case he was liable to suffer corporal punishment: and in this consisted the difference between the superior and inferior clergy in this part of discipline, as is noted in one of Justinian's Novels,[45] which helps to explain the practice of the church. And this is what I had to observe concerning those punishments, which by the rules of the ancient discipline were

[35] Conc. Agathen. can. 50. Si episcopus, presbyter, vel diaconus capitale crimen commiserit, aut chartam falsaverit, aut testimonium falsum dixerit, ab officii honore depositus, in monasterium retrudatur: et ibi, quamdiu vixerit, laicam tantummodo communionem accipiat. Conc. Epaunen. can. 22. Si diaconus aut presbyter crimen capitale commiserit, ab officii honore depositus, in monasterium retrudatur, ibi tantummodo, quamdiu vixerit, communionem sumendo.

[36] Book VIII. chap. 7. sect. 9.

[37] Book VII. chap. 3. sect. 12.

[38] Conc. Agathen. can. 38. Clericis, sine commendatitiis epistolis episcopi sui, licentia non pateat evagandi.——Quos si verborum increpatio non emendaverit, etiam verberibus statuimus coerceri.

[39] Ibid. can. 41. Clericum quem ebrium fuisse constiterit, aut triginta dierum spatio a communione statuimus submovendum, aut corporali subdendum supplicio.

[40] Conc. Epaunen. can. 15. Si superioris loci clericus hæretici cujuscunque convivio interfuerit, anni spatio pacem ecclesiæ non habebit: quod si minores clerici præsumpserint, vapulabunt.

[41] Conc. Matiscon. 1. can. 3. Clericus, si cum indecenti veste aut cum armis inventus fuerit, a seniore ita coerceatur, ut triginta dierum inclusione detentus, aqua tantum et modico pane diebus singulis sustentetur.

[42] Ibid. can. 5. Si junior fuerit, uno minus de quadraginta ictus accipiat; si certe honoratior, triginta dierum conclusione mulctetur.

[43] Historia Flagellantium, cap. 5 et 6. Paris, 1700. 8vo.

[44] Aug. Ep. 159. ad Marcellin. Qui modus coercitionis (per virgarum verbera) sæpe etiam in judiciis solet ab episcopis adhiberi.

[45] Justin. Novel. 123. cap. 20.

peculiarly inflicted on the clergy for the correction of their offences.

CHAPTER V.

A PARTICULAR ACCOUNT OF THE CRIMES FOR WHICH CLERGYMEN WERE LIABLE TO BE PUNISHED WITH ANY OF THE FOREMENTIONED KINDS OF CENSURE.

Sect. 1. All crimes that were punished with excommunication in a layman, punished with suspension or deposition in the clergy.

It remains that we now give a particular account of those crimes for which clergymen might be punished. And here we must observe, that their crimes were of two sorts, such as were common to them with laymen, and such as they might be guilty of in transgressing the rules particularly relating to their office and function. Of the former sort I need not discourse particularly here, because I have done it largely in the last Book, where I examined the nature of the several great crimes for which a layman might incur the censure of excommunication; there being only this general difference to be observed between the crimes of a laic and an ecclesiastic, that what was commonly punished with excommunication in a layman, was ordinarily punished with suspension or deposition in a clergyman; or, if the crime was very scandalous and flagrant, with excommunication also. For this reason I here pass over the great crimes of idolatry, divination, magic, sorcery and enchantment, apostacy, heresy, schism, sacrilege, and simony, which are crimes against the first and second commandment in the decalogue; as also blasphemy, profane swearing, perjury, and breach of vows, against the third commandment; all violations of the law enjoining the religious observation of the Lord's day, against the fourth commandment; all disobedience and disrespect to parents, and treason and rebellion against princes, and general contempt of the laws of the church, infringing the obligations of the fifth commandment; all the species of murder, against the sixth commandment; and all species of uncleanness and intemperance, against the seventh; all kinds of theft, fraud, oppression, and injustice, against the eighth; and all kinds of false testimony, libelling, informing, calumny, and slander, against the ninth commandment; because I have already spoken of all these in particular, and showed, that as they were punished with excommunication in the laity, so they were commonly punished with suspension or deprivation, and sometimes with excommunication, in the clergy also. But besides these crimes, common both to laity and clergy, there were many transgressions and offences that might be committed by the clergy against the particular rules of their function and profession: and of these we are here to make a more special inquiry. Some of these respected their entrance upon their office; others, their behaviour in it. We will now speak particularly, but briefly and succinctly, of both.

Sect. 2. Some crimes rendered an ordination originally void, and for such the clergy were immediately liable to be degraded from their very first ordination. As, first, for ignorance or heterodoxy in religion.

Some qualifications were originally required in the clergy as necessary at their entrance upon the clerical life and function; and therefore certain rules were prescribed for a due examination and inquiry into these before their ordination: and a defect in any of these qualifications, or a transgression against any of these rules, was enough to render an ordination null and void *ab origine;* so that the clergy thus ordained were liable to be degraded or deposed immediately from their very first ordination. Of these qualifications, (as I have had occasion to show more at large in a former Book,[1]) some respected their faith and knowledge, others their former life and morals, and others their outward quality and condition in the world: and a defect in any of these qualifications, or a transgression of any of the rules prescribed, was in the common course of the discipline of the church a sufficient reason to depose a clergyman as soon as he was ordained. The first and principal qualification so necessarily required, was an orthodox faith, and a competent knowledge in the Scriptures and all things relating to the exercise of his function: and if either a bishop was ordained without such an examination, or without such qualifications, both the ordainer and the ordained were immediately to be deposed. The words of Justinian's law[2] are very express in this business: If any bishop is ordained contrary to the forementioned observation, we command, that both he who is so ordained be deposed, and also the bishop who so illegally ordained him.

Sect. 3. Secondly, for immorality and transgressing any of the known rules of ordination.

Another strict inquiry was to be made into men's morals; and if in any notorious instance they had formerly been culpable and scandalous, their ordination was forbidden; or if by ignorance or surreption they were ordained, they were immediately upon discovery and conviction to be suspended, if not deposed. Thus in the council of Neocæsarea[3] we find a rule, That if a presbyter confessed, that before his ordination he had been guilty of corporal uncleanness, he was no longer to be allowed to offer the sacrifice of the altar. This sin

[1] Book IV. chap. 3.

[2] Justin. Novel. 137. cap. 2. Si quis autem præter memoratam observationem episcopus ordinetur, jubemus et ipsum omnibus modis episcopatu dejici, et eum, qui contra talem observationem eum ordinare ausus fuerit.

[3] Conc. Neocæsar. can. 9. Vid. Conc. Nic. can. 9 et 10. Conc Eliberin. can. 76.

always made a man irregular, though some were of opinion, as the canon intimates, that other sins were done away by ordination. The canons further required, that a man should be no digamist, or twice married, nor married to a widow, nor to any that had been divorced from another man; and if any such were ordained, by the same rule of Justinian they were immediately liable to be deposed. It was forbidden likewise to ordain any man ἀπολελυμένως, that is, without fixing him to some particular diocese or church: and the ordination of any one contrary to this rule, is by Pope Leo[4] pronounced vain; and by the great council of Chalcedon,[5] null and void. It was another rule of this kind, for the preservation of good order in the church, that no bishop should ordain another man's clerk without his consent: and if any one did so, the great council of Nice,[6] and the council of Sardica,[7] and the second of Arles,[8] peremptorily pronounce all such ordinations null and void. It was required in the election and ordination of a bishop, that there should be the general consent of these four parties, the clergy, the people, the provincial bishops, and the metropolitan: and ordinations performed in derogation to any part of this rule, are by abundance of canons declared absolutely void, and bishops so promoted are appointed to be deposed. The council of Antioch is express in requiring the presence or consent of the provincial bishops[9] and metropolitan; decreeing, that an ordination performed contrary to this rule shall be of no force, μηδὲν ἰσχύειν. The council of Riez[10] for this reason actually degraded Armentarius, bishop of Ambrun, because he had neither the general consent of the provincial bishops, nor the metropolitan, but was clancularly ordained by two bishops without the knowledge of the other parties chiefly concerned. The canons, in the Latin church especially, are altogether as peremptory and plain in disannulling all ordinations of bishops to any place against the general consent of the people. Let no bishop, says one of the councils of Orleans,[11] be imposed upon a people against their wills. Nor let the clergy and people be constrained to give their consent by the oppression of any potent persons. If any such thing is done, the bishop who is so ordained, rather by violence than any legal decree, shall be deposed for ever from the honour of his priesthood. In like manner the council of Chalons,[12] A bishop shall not be chosen to any city any other way, but by the consent of the provincial bishops, the clergy and the people: if otherwise, the ordination shall be null and void. To this agrees the resolution of Pope Leo in answer to the queries of a French bishop, That reason[13] will not allow those to be received as bishops, who were neither chosen by the clergy, nor desired by the people, nor consecrated by the provincial bishops, with the judgment of the metropolitan. And that rescript of Honorius concerning the election of the bishop of Rome,[14] That if two bishops were ordained by two contending parties, neither of them should be bishop, but one who was chosen out of the clergy by the judgment of the provincial bishops and the consent of all the people. So that if any bishop was ordained against these rules, his ordination was void, and he was liable to be deposed as soon as he was ordained. So if any bishop was ordained, who was before under the sentence of deposition, his ordination was null, as was declared in the case of Timotheus Ælurus by several provincial councils related in the acts of the council of Chalcedon.[15] If a bishop was ordained into a full see, where another was regularly ordained before him, his ordination was of no effect: he was to be reputed as no bishop, but to be rejected as an adulterer, an intruder, an invader of other men's rights, and a wolf only in sheep's clothing: which was the answer that Cyprian[16] gave in the case of Novatian; and the council of Sardica[17] in Hilary's collection; and the oriental bishops and synods[18] in the forementioned case of Timotheus Ælurus, mentioned both

[4] Leo, Ep. 92. ad Rusticum, cap. 1.

[5] Conc. Chalced. can. 6. See more of this, Book IV. chap. 6. sect. 2.

[6] Conc. Nic. can. 16.

[7] Conc. Sardic. can. 15.

[8] Conc. Arelat. 2. can. 13.

[9] Conc. Antioch. can. 19.

[10] Conc. Rhegiense, can. 2. Ordinationem, quam canones irritam definiunt, nos quoque vacuandam esse censuimus, in qua, prætermissa trium præsentia, nec expetitis comprovincialium literis, metropolitani quoque voluntate neglecta, prorsus nihil, quod episcopum faceret, ostensum est. Vid. Conc. Arelat. 2. can. 6. Conc. Aurelian. 5. can. 10.

[11] Conc. Aurelian. 5. can. 11. Nullus invitis detur episcopus, &c. Quod si factum fuerit, ipse episcopus, qui magis per violentiam quam per decretum legitimum ordinatur, ab indepto pontificatus honore in perpetuum deponatur.

[12] Conc. Cabillon. 1. can. 10. Si quis episcopus de quacunque civitate fuerit defunctus, non ab alio nisi a comprovincialibus, clero et civibus suis alterius habeatur electio: sin aliter, hujus ordinatio irrita habeatur.

[13] Leo, Ep. 92. ad Rusticum Narbon. cap. 1. Nulla ratio sinit, ut inter episcopos habeantur, qui nec a clericis sunt electi, nec a plebibus expetiti, nec a provincialibus episcopis cum metropolitani judicio consecrati.

[14] Honorii Rescript. ad Bonifac. ap. Crab. t. i. p. 491. Si duo contra fas temeritate certantes, fuerint ordinati, nullum ex his futurum penitus sacerdotem; sed illum solum in sede apostolica permansurum, quem ex numero clericorum, nova ordinatione divinum judicium et universitatis consensus elegerit.

[15] Synod. Cappadociæ, in Act. Conc. 1. Chalced. par. 3. can. 51. Synod. Galatiæ, ibid. cap. 57. Synod. Paphlagon. c. 54. Synod. Corinth. c. 56.

[16] Cypr. Ep. 55. ad Antonian. p. 104.

[17] Hilar. de Synodis, p. 128.

[18] Liberat. Breviar. cap. 15. Acta Conc. Chalced. par. 3. Epist. 38, 39, 41.

by Liberatus, and their own acts in the end of the council of Chalcedon. In like manner it was a rule in the church, that no energumen, or person possessed with an evil spirit, should be ordained: or if any such by any chance or mistake were ordained, he was immediately to be deposed. This is very expressly decreed in the first council[19] of Orange: Energumens are not only not to be taken into any order of the clergy, but those who are already ordained shall be removed from their office also. There is a necessity of removing such demoniacs, says Gelasius,[20] lest such ministers should scandalize the weak, for whom Christ died. It was another rule of the church, that no one who had voluntarily disfigured or dismembered his own body should ever be admitted to any sacred[21] order: and therefore, if any such were actually ordained, by the order of the great council of Nice,[22] they were to cease from officiating; to be secluded from the clerical function as soon as discovered, according to the decree of Gelasius;[23] or, as the Roman council under Hilary[24] words it, if any such crept into orders, the bishop who consecrated them was obliged to nullify and dissolve his own act, as soon as the fraud was discovered. Another rule was, that no person who was unbaptized, or irregularly baptized without the due form of baptism, should be admitted to holy orders: and for this reason the council of Nice[25] ordered all such as were ordained by the Paulianists, to be both rebaptized and reordained, if they were otherwise found qualified for their function. A like order was made concerning all such as were baptized among heretics, or rebaptized by them; that no such should be ordained; and if any of either kind were surreptitiously admitted to orders, they were to be deposed, under penalty of deposition to the bishop himself, who should presume[26] either to ordain any such, or not remove them when fraudulently ordained by others. If any one made use of the secular powers to gain a promotion in the church, by a rule[27] of the Apostolical Canons he was to be deposed; and all that communicated with him were to be suspended from Christian communion. If a bishop ordained any of his unworthy kindred for mere favour, by a rule of the same Apostolical Canons[28] the ordination was null, and the bishop himself was to be suspended. And to this agrees the order made in the tenth council of Toledo[29] to the same purpose. If a bishop ordained his own successor, by a rule of the council of Antioch,[30] his ordination was null, because it was clandestinely done without the consent of a provincial synod. Or if a bishop was ordained only by two bishops, for the same reason he was liable to be deposed, because it was done against the rule which required the concurrence of the metropolitan and the provincial synod. Therefore the first council of Orange[31] ordered in such a case, That if two bishops presumed to ordain a bishop by themselves, both the ordaining bishops were to be deposed; and if the bishop was ordained against his will, he should be put into the place of one of the deposed bishops; but if he was ordained by his own consent, then he also was to be deposed, that the rule prescribed by the ancient canons might be more cautiously observed. And the council of Riez[32] actually deposed Armentarius, bishop of Ambrun, for this very reason, because he had not three bishops to ordain him. All these were transgressions against the known rules of ordination, and imputed to men as immoralities, because they were violations of those good rules and orders, which were made with great wisdom for the regular government and benefit of the church. And therefore if in any of these cases a crime was committed, the ordination was liable to be declared void originally by the discipline of the church; and the clergy so ordained might be deposed, as soon as they were ordained, for the offences committed in their ordination. It is true, indeed, the church did not always actually depose such: but then she dispensed with her own rules, and such dispensations were only matters of favour and indulgence, in some special cases, when the church for prudential reasons thought fit to relax her discipline, and grant men such allowances, as in strictness of law they could not challenge: the general rules of discipline were still in force, though the church did not always think it proper to put them strictly in execution.

Sect. 4. No remedy allowed in this case by doing public penance for offences.

Neither was it any remedy in this case, that men made a solemn atonement for their crimes before the

[19] Conc. Arausican. 1. can. 16. Energumeni non solum non assumendi sunt ad ullum ordinem clericatus, sed et illi qui ordinati jam sunt, ab imposito officio sunt repellendi.

[20] Gelas. Ep. 9. ad Episc. Lucaniæ, cap. 21. Necessario removendi sunt, ne quibuslibet, pro quibus Christus est mortuus, scandalum generetur infirmis.

[21] Vid. Canon. Apost. 21. Conc. Arelat. 2. can. 7.

[22] Conc. Nic. can. 1. [23] Gelas. Ep. 9. cap. 19.

[24] Conc. Rom. can. 3. [25] Conc. Nic. can. 19.

[26] Felic. III. Ep. 1. c. 5. Qui in qualibet ætate, alibi quam in ecclesia catholica, aut baptizati aut rebaptizati sunt, ad ecclesiasticam militiam prorsus non admittantur.———Quoniam de suo ordine et communione videbitur ferre judicium, quisquis hoc violaverit institutum, vel qui non removerit eum, quem ex eis ad ministerium clericale obrepsisse cognoverit.

[27] Canon. Apostol. can. 30. [28] Ibid. can. 76.

[29] Conc. Tolet. 10. can. 3. [30] Conc. Antioch. can. 23.

[31] Conc. Arausic. 1. can. 21. Duo si præsumpserint ordinare episcopum, placuit de præsumptoribus, ut, sicubi contigerit, duos episcopos invitum episcopum facere, auctoribus damnatis, unius eorum ecclesiæ, ipse, qui vim passus est, substituatur: si voluntarium duo fecerint, et ipse damnabitur, quo cautius ea, quæ sunt antiquitus instituta, serventur.

[32] Conc. Rhegiens. can. 2.

church, by doing public penance for them. For this was so far from opening their way to a regular ordination, that it was one of those things that rendered them incapable of it; or if by any secret methods they had attained it, this was thought a sufficient reason to withdraw their orders, and degrade them. No one that has done public penance, says the fourth council of Carthage,[33] shall be ordained a clerk, though he be otherwise a good man: or if by concealment from the bishop's knowledge this happen to be done, the clerk shall be deposed, because he confessed not at the time of his ordination that he had done penance in the church. After the same manner the Roman council under Pope Hilarius makes the doing of public penance[34] as much a bar to a man's ordination, as the profoundest ignorance, or mangling his own body; and declares, that whatever bishop consecrates any such, he shall be obliged to reverse and cancel his own act; that is, immediately deprive them of their orders, and degrade them. The like was determined by Pope Innocent in the case of one Modestus, who, after he had done penance for many crimes, not only was ordained a clergyman, which was against law, but also aimed at a bishopric. His determination upon the point is this: That he ought not only to be defeated in his expectation[35] of a bishopric, but, according to the canons of Nice,[36] be removed from all office among the clergy. The third council of Orleans enacted the same: No one shall be promoted to holy orders, who has either been married to two wives, or married a widow, or done public penance, &c. And if any bishop wittingly act against these rules, he that is ordained shall be deprived of his office, and the bishop himself[37] for six months sequestered or suspended from his ministration. The council of Agde[38] a little moderates the punishment, allowing such presbyters and deacons, who had done penance, to retain the name and honour of their orders, but forbidding deacons to minister the cup, or presbyters to consecrate the oblation of the altar. And the first council of Toledo[39] degrades them, not totally, but allows deacons thus ordained out of penitents, to take place among the subdeacons, that is, in the next inferior order. Thus, one way or other, every clergyman, who had done penance whilst he was a layman, was corrected and punished for not declaring, when he was ordained, that he was in such a state, as by the rules of the church was made a just impediment to his ordination; and it was always thought scandalous and offensive, to allow any man to officiate as a public minister, who had before been a public penitent in the church. The church could admit them to pardon and reconciliation after penance, but would not allow them to aspire to any dignity, or continue them in any sacred office of the clerical function.

Sect. 5. Some impediments of ordination arising from men's outward state and condition in the world, made sometimes occasion of their deprivation.

There was another sort of impediments of ordination, which, as I observed, arose not from any criminal action in men, but barely from their outward state and condition in the world, because it happened to be incompatible and inconsistent with the duties of the sacred order; and therefore many strict rules were made to prohibit the ordination of men in such a capacity, and to remove them back again from the clerical to a secular state, if they happened to be unwarily ordained against any such prohibitions. Thus, to instance in a few particulars: the military calling, (under which, as I have showed in another place,[40] were comprehended not only the armed soldiery of the camp, but also all officers of the emperor's palace, and all apparitors and officials of judges or governors of provinces,) I say, the military calling in this comprehensive sense was reckoned inconsistent with the duties of the clerical life, because the men of this vocation were tied by the laws to the service of the empire; and therefore the laws, both of church and state, forbade the admission of them into any order of the church; and if they were admitted by any fraud or mistake, they were liable to be deposed, and returned back to their ancient service. The church had another reason also for refusing the soldiers of the camp, because probably they had imbrued their hands in blood, and no such were capable of ordination. Therefore when some such were got into orders in the Spanish churches, Pope Innocent wrote a sharp letter to the synod of Toledo, telling them, that by reason of the numbers of those who had been so ordained, it was proper to suffer them to continue, for fear of giving disturbance to the church, and to leave them to the judgment of God; but for the future, if any such were ordained, both the ordainers[41] and the ordained should be deposed. And the council of Toledo[42] so far complied with his admonition, as to decree, That

[33] Conc. Carth. 4. can. 68. Ex pœnitentibus, quamvis sit bonus, clericus non ordinetur. Si per ignorantiam episcopi factum fuerit, deponatur a clero, quia se ordinationis tempore non prodidit fuisse pœnitentem.

[34] Conc. Rom. can. 3. Inscii quoque literarum, necnon et aliqua membrorum damna perpessi, et hi qui ex pœnitentibus sunt, ad sacros ordines adspirare non audeant. Quisquis talium consecrator exstiterit, factum suum ipse dissolvet.

[35] Innocent. Ep. 6. ad Episcopos Apuliæ. Non solum ab episcopatus ambitione, sed etiam a clericatus removeatur officio.

[36] Conc. Nic. can. 9 et 10. [37] Conc. Aurelian. 3. can. 6.

[38] Conc. Agathen. can. 43. [39] Conc. Tolet. 1. can. 2.

[40] Book IV. chap. 4. sect. 1.

[41] Innocent. Ep. 23. ad Synod. Toletan. cap. 2. Quicunque tales ordinati fuerint, cum ordinatoribus suis deponantur.

[42] Conc. Tolet. 1. can. 8. Si quis post baptismum militaverit——etiamsi gravia non admiserit, si ad clerum admissus fuerit, diaconii non accipiet dignitatem.

if any soldiers had been admitted to any of the inferior orders, they should never rise higher to the dignity of deacons in the church. The ordination of slaves and vassals was prohibited upon the same account, because they were tied by the law to the service of their temporal masters; so likewise all members of any civil company, or society of tradesmen, because they were tied to the service of the commonwealth; and all those who went by the name of *curiales*, or *decuriones*, in the Roman government; being members of the *curia*, that is, the court or common council of any city, to whose service they were tied by virtue of their estates and possessions. The ordination of all these sorts of men was generally forbidden both by the laws of church and state; and if any such were irregularly ordained, masters had liberty to reclaim their slaves; and the state, her soldiers; and any corporation or *curia*, their deserting members; and the church, except in some special cases, was bound to depose them, and readily consented to restore them to their ancient secular station and employment again. Of all which I have given a large account[43] in a former Book, and here only hint them to explain the discipline of the church.

Sect. 6. What crimes might occasion the deprivation of the clergy, or other censures, in the performance of their office. 1. Clergymen to be censured for contempt of the canons.

We have hitherto considered the causes and occasions of men's deprivation, arising from some irregularities committed in their entrance upon the clerical office; we are next to view what crimes might occasion their deprivation, or make them liable to other censures, in the performance of it. And here, in the first place, it may be noted in general, that a clergyman was ever liable to be censured for any contempt of the canons. Concerning which there are directions given in the first council of Carthage,[44] and Turin, and Braga, and several others; but as these equally affect both clergy and laity, I need not be more particular in relating them at length, having done it once before in the general account of discipline[45] in the former Book.

Sect. 7. 2. For negligence in their duty.

2. They were more especially liable to censure for negligence in their office, or any great irregularity committed in the execution of it. If a bishop or a presbyter be negligent toward the other clergy or people, not instructing them in the ways of godliness, he shall be suspended, say the Apostolical Canons;[46] and if he continues in his neglect and slothfulness, he shall be deposed. This neglect is termed sacrilege in the civil law,[47] and accordingly to be punished under that denomination.

Sect. 8. 3. For neglecting to use the public liturgy, Lord's prayer, hymns, &c.

3. If the clergy neglected to use the public liturgy, or any part of it, the Lord's prayer, the stated and received hymns, &c., they were liable to censure and condemnation. The fourth council of Toledo has several canons to this purpose. If any priest or inferior clerk, says one canon,[48] neglect to use the Lord's prayer daily, either in public or in private, let him be condemned for his pride, and be deprived of the honour of his order. Another[49] establishes the use of the common prayers, and the doxology, Glory be to the Father, &c., and the hymns of St. Hilary and St. Ambrose, composed in honour of the apostles and martyrs, under the penalty of excommunication to any priest in Spain or Gallicia, that should presume to reject them. Another confirms the use of the Hymn of the Three Children under the same penalty.[50] A fourth canon[51] orders after what manner and form the *Gloria Patri* shall be sung by all ecclesiastics: and a fifth[52] appoints the reading of the Apocalypse at a certain season of the year, between Easter and Pentecost, denouncing the same sentence and punishment of excommunication to any who should either reject the book as uncanonical, or neglect to use it in Divine service according to appointment.

Sect. 9. 4. For making any alteration in the form of baptism.

4. If a minister made any material alteration in the manner of administering the sacraments, he was liable to be deposed for his presumption; as if he either changed the general form of words used in baptism, or the trine immersion received by universal custom in all churches. If any bishop or presbyter, says one of the Apostolical Canons,[53] baptize not according to the commandment of the Lord, in the name of the Father, Son, and Holy Ghost; but in three unoriginated Beings, τρεῖς Ἀνάρχους, or three Sons, or three Paracletes, let him be deposed. And the next canon says, If a bishop or presbyter use not three immersions in the mystery of baptism, but only one immersion into the death of Christ, let him be deposed. For the Lord said not, Baptize into my death, but, "Go, teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost."

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43 Book IV. chap. 4. sect. 2, &c.

44 Conc. Carth. 1. can. 14. Conc. Taurin. can. 2. Conc. Bracaren. 1. can. 40.

45 Book XVI. chap. 9. sect. 5.

46 Canon. Apost. 58.

47 Cod. Theod. lib. 16. Tit. 2. de Episcopis, Leg. 25.

48 Conc. Tolet. 4. can. 9. Quisquis sacerdotum vel subjacentium clericorum, orationem Dominicam quotidie aut in publico aut in privato officio præterierit, propter superbiam judicatus, ordinis sui honore privetur.

49 Ibid. can. 12. Sicut orationes, ita et hymnos in laudem Dei compositos, nullus nostrum ulterius improbet, sed pari modo in Gallicia Hispaniaque celebrent, excommunicatione plectendi, qui hymnos rejicere fuerint ausi.

50 Ibid. can. 13. Communionem amissuri, qui antiquam hujus hymni consuetudinem, nostramque definitionem excesserint.

51 Ibid. can. 14.

52 Ibid. can. 16.

53 Canon. Apost. 49.

Sect. 10. 5. For not frequenting Divine service daily.

5. If any clergyman neglected to frequent the church and Divine service daily, even when he did not officiate or celebrate himself, he was liable to be deposed, if after admonition he persisted obstinately in his contempt. To this purpose it is decreed by the first council of Toledo,[54] That if any presbyter, deacon, or subdeacon, or other clerk deputed to the service of the church, being in any city or place where there is a church, or castle, or village, or hamlet, shall neglect to come to church and the daily sacrifice, he shall be no longer accounted a clerk, unless upon admonition from the bishop he make satisfaction, and obtain pardon for his offences. The council of Agde reduces[55] such to the communion of strangers, that is, suspends them from their office; and the law of Justinian[56] orders them to be degraded, because of the scandal they give to the laity by such neglect or contempts of Divine service.

Sect. 11. 6. For meddling with secular offices.

6. If any clergyman entangled and embarrassed himself in secular offices, because this was an unnecessary avocation from his own employment, and hinderance to the proper business of his calling, he was liable to be deposed. No bishop or presbyter, says one of the Apostolical Canons,[57] shall thrust himself *εἰς δημοσίας διοικήσεις*, into any public administrations or employments, but keep himself always in a readiness for the service of the church. Let him, therefore, either incline his mind not to do this, or let him be deposed. For no man can serve two masters, according to what the Lord appointed. And another canon says,[58] A bishop, presbyter, or deacon, that employs himself in a military life, and would retain both a Roman office and an ecclesiastical function together, shall be deposed. For we must "render to Cæsar the things that are Cæsar's, and to God the things that are God's." The first council of Carthage[59] forbids clergymen to take upon them the administration or stewardship of any houses, because the apostle says, "No man that warreth in God's service, entangleth himself in the affairs of this life." Therefore clergymen must either quit their stewardships, or stewards their clerical office. But because necessity or charity might seem to require clergymen to engage a little in secular affairs in some special cases, the council of Chalcedon[60] delivers the rule with some distinction: Whereas we are informed that some of the clergy, for filthy lucre's sake, hire other men's possessions, and exercise themselves in worldly affairs, neglecting the service of God, living in the houses of secular men, and taking upon them the management of their estates out of covetousness and the love of money; the holy synod decrees, that henceforth no bishop, clergyman, or monk shall either hire any possessions or put himself into any secular administrations, unless by the law he be called to the unavoidable care or guardianship of orphans, or the bishop of the place permit him to be the procurator of the church revenues, or to take the care of widows and orphans and such other helpless persons as need the assistance of the church, which may be done in the fear of the Lord. If any one henceforward transgress these rules, he shall be liable to ecclesiastical censure. There are many other laws forbidding them to be sureties, or pleaders at the bar for themselves or others in any civil contest, or to follow any secular trade or merchandise; but these with some limitations and exceptions: of all which, because I have had occasion to discourse more fully in a former Book,[61] I need say no more in this place.

Sect. 12. 7. For deserting their own church without licence to go to another.

7. It was another crime of the like nature, for a clergyman to desert and relinquish his own church, to which he was originally fixed and appointed by his ordination, without licence from the bishop to whose jurisdiction he belonged. For though this was not properly an absolute and universal renunciation and desertion of the church's service; yet it was a manifest breach of good order, and a transgression of a useful rule established by often repeated injunctions over the church universal, That no clerk should leave his own bishop's church or diocese without his consent, nor find reception in any other, to the prejudice of the bishop who first ordained him. If any presbyter, deacon, or other clerk, say the Apostolical Canons,[62] forsake his own diocese to go to another, and there continue without the consent of his own bishop; we decree, that such a one shall no longer continue to minister as a clerk, (especially if after admonition he refuse to return,) but only be admitted to communicate as a layman. And if the bishop, to whom they repair, shall entertain them in the quality of clergymen, he shall be excommunicated, as a master of disorder. The same rule is frequently repeated in the ancient canons, to which I have referred the reader in another place.[63]

Sect. 13. 8. For officiating after the condemnation of a synod

8. If any clergyman pretended to officiate after he was censured and condemned by a synod, before he was

[54] Conc. Tolet. 1. can. 5. Presbyter, vel diaconus, vel subdiaconus, vel quilibet ecclesiæ deputatus clericus, si intra civitatem fuerit, vel in loco in quo ecclesia est, aut castella, aut vici sunt aut villæ, si ad ecclesiam aut ad sacrificium quotidianum non venerit, clericus non habeatur, si castigatus, per satisfactionem veniam ab episcopo noluit promereri.

[55] Conc. Agathen. can. 2.

[56] Cod. Just. lib. 1. Tit. 3. de Episcopis, Leg. 42. n. 10.

[57] Canon. Apost. 81.

[58] Ibid. can. 83. Vid. can. 7. ibid. Κοσμικὰς φροντίδας μὴ ἀναλαμβανέτω· εἰ δὲ μὴ, καθαιρείσθω.

[59] Conc. Carth. 1. can. 6. [60] Conc. Chalced. can. 3.

[61] Book VI. chap. 4. sect. 9, 10, 11, &c.

[62] Canon. Apost. 15 et 16. [63] Book VI. chap. 4. sect. 4.

absolved by that or another synod, he was to be deposed for his contempt, without hopes of restitution. This was first decreed in the Apostolical Canons: If any bishop,[64] presbyter, or deacon, who is justly deposed for his crimes, presume to meddle with the service belonging to his order, let him be wholly cut off from the communion of the church. The council of Antioch[65] repeats this rule a little more explicitly: If any bishop, who is deposed by a synod, or presbyter or deacon, who is deposed by his own bishop, presume to officiate in their ministry, they shall have no hopes of being restored even by another synod, nor any room left for satisfaction: and all that communicate with them shall be cast out of the church, especially if they do it after they are apprized of the sentence pronounced against them. This canon is repeated and confirmed by the great council of Chalcedon,[66] as a standing rule then inserted into the code of the universal church.

Sect. 14. 9. For appealing from the censure of a provincial synod to foreign churches.

9. In this case the church allowed of appeals, that if any one was injured or oppressed by any rash or violent proceeding, he might have justice done him in a provincial synod. But then this liberty of appeals was limited to the place or province where the party lived, and he might not fly to another country under pretence of more impartial justice. The bishops of Rome indeed sometimes laid claim to a peculiar prerogative in this matter, as if they had power to receive appellants from other churches, and hear and determine the causes arising in foreign countries at the greatest distance and under different jurisdictions: but St. Austin and the African fathers stoutly opposed encroachments, and withal made a decree, That if any African clerk appealed from the sentence of his own bishop, or a synod of select judges, he should appeal to none but African synods, or the primates of the provinces. And if any presumed to appeal beyond seas, meaning to Rome, he should be excluded from all communion in the African churches. This decree was first made in the council of Milevis,[67] and afterward confirmed by several acts of their general synods, made upon the famous case and appeal of Apiarius, an African presbyter, whom Pope Zosimus pretended to restore to communion after he had been deposed by an African council. What opposition the African fathers made to this presumption, during the lives of three popes successively, Zosimus, Boniface, and Celestine, and what arguments they went upon, I have formerly[68] showed out of the canons of the African code:[69] and I only note it here with all brevity, to explain the ancient discipline in this point from the current tenor and practice of the church.

Sect. 15. 10. For the refusing to end controversies before bishops, and flying to a secular tribunal.

10. Another thing which subjected clergymen to ecclesiastical censure, was refusing to end their controversies before bishops, and choosing rather to fly to the secular tribunals. The laws of the state permitted, and the laws of the church obliged them to bring all their disputes with one another under the cognizance of an ecclesiastical tribunal. I have had occasion once before[70] to speak of this as a privilege and immunity granted to the clergy by the imperial laws, and all I shall remark further concerning it here, is only what relates to the discipline of the church: in reference to which the council of Chalcedon[71] decreed, That if any clergyman had a controversy with another, he should not leave his own bishop, and betake himself to a secular court; but first have a hearing before his own bishop, or such arbitrators as the parties should choose, with the bishop's approbation. Otherwise he should be liable to canonical censure: which censure in the African church was the loss of his place, whether he were bishop, presbyter, or deacon, or any other inferior clerk, that declined the sentence of an ecclesiastical court, in a criminal cause, and betook himself to a secular court for justice: or if it was a civil cause, he must lose whatever advantage he gained by the action, as the third council of Carthage determined[72] in the case, because he despised the whole church, in that he could not confide in any ecclesiastical persons to be his judges. The council of Milevis added to this,[73] that no clergyman should so much as petition the emperor to assign him secular judges in any case, but only ecclesiastical, under pain of deprivation. And this seems to be the true meaning of those two famous canons of the council of Antioch, which have been so generally mistaken by modern authors, as if they had been made only by a cabal of Arians against the person of Athanasius, when indeed they contain nothing but an ancient rule of discipline universally observed throughout the church. The words of the canons are these: If any bishop, or presbyter, or any one[74] within the canon or roll of the clergy belonging to the church, shall presume to address the emperor without the

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[64] Canon. Apost. 28.

[65] Conc. Antioch. can. 4.

[66] Conc. Chalced. Act. 4. Conc. t. 4. p. 538.

[67] Conc. Milevit. can. 22. Quod si et ab eis appellandum putaverint, non provocent nisi ad Africana concilia, vel ad primates provinciarum suarum. Ad transmarina autem qui putaverit appellandum, a nullo intra Africam in communione suscipiatur.

[68] Book IX. chap. 1. sect. 11.

[69] Cod. Afric. a cap. 135. ad cap. 138.

[70] Book V. chap. 1. sect. 4.

[71] Conc. Chalced. can. 9. Vid. Conc. Veneticum, can. 9.

[72] Conc. Carth. 3. can. 9.

[73] Conc. Milevit. can. 19. Quicunque ab imperatore cognitionem judiciorum publicorum petierit, honore proprio privetur. Si autem episcopale judicium ab imperatore postulaverit, nihil ei obsit.

[74] Conc. Antioch. can. 11.

consent and letters of the provincial bishops, and especially of the metropolitan, he shall be rejected and expelled, not only from communion, but from whatever honour and dignity he enjoys, as one that fills the prince's ears with troublesome complaints, against the law of the church. But if any necessary cause call him to address the prince, he shall do it by the advice and consent of the metropolitan and the rest of the provincial bishops, who in that case shall assist him with their recommendatory letters also. The other canon[75] says, If any presbyter or deacon is deposed by his bishop, or any bishop by a synod, he shall not presume to trouble the emperor with complaints, but have recourse to a greater synod of bishops, and lay the justice of his cause before them, and wait for their discussion and determination. But if, in contempt of this method, he trouble the prince, he shall have no pardon, nor room for defence, nor any hopes of restitution. The generality of modern writers, following the censure passed upon this canon by the famous Antonius Augustinus,[76] and Baronius,[77] commonly reckon it a canon made by the Arian faction against Athanasius; and say, it is the same canon that was alleged against Chrysostom by his adversaries, and rejected by him and his advocates, as an Arian canon, in the following ages. But the learned Schelstrate, who has particularly vindicated the authority of the council of Antioch,[78] shows this to be a vulgar error; demonstrating, that the Arian canon was very different from this, and that this canon of Antioch was conformable to the received discipline of the ancient church. For, as such, it was inserted into the code of the universal church, and acknowledged by the council of Chalcedon, and all the collectors of the canons, Ferrandus Diaconus, Martin Bracarensis, and the Capitulars of Charles the Great. Besides that the council of Vannes[79] has a canon to the same purpose: If a clerk suspects the judgment of his own bishop, or has any controversy with him concerning any property, he shall require a hearing before other bishops, and not before the secular powers: otherwise, he shall be cast out of communion. From all which it is plain, nothing more was intended by the council of Antioch, but only to oblige clergymen to end all their controversies before a synod of bishops, which is agreeable to the general rule and discipline of the church.

Sect. 16. 11. For being rebaptized or reordained.

11. The laws of the church were further severe against all reordinations in the clergy, and against all rebaptizations both in clergymen and laymen: and therefore any clergyman who submitted either actively or passively to either of these, rendered himself obnoxious to the highest censure. If any bishop, presbyter, or deacon, say the Apostolical Canons,[80] receive a second ordination, both the ordainer and the ordained shall be deposed; except it appear that his first ordination was given him by heretics: for they that are baptized or ordained by heretics, are neither to be accounted clergymen nor faithful laymen. Optatus says,[81] That among other reasons why Donatus was condemned and deposed by the council of Rome under Melchiades, this was one, that he had given imposition of hands to such bishops as had lapsed in time of persecution, which was contrary to the custom of the catholic church. If imposition of hands there signify ordination, then his crime was that he had reordained them: but if, as Albaspinæus thinks both in his notes and observations, it only means imposition of hands in penance, then we are to lay no stress upon it, because it relates to a different subject. As to rebaptization, the case was the same: the Apostolical Canons[82] appointed, That if any bishop or presbyter presumed to give a second baptism after a true one once received, he should be degraded. And the council of Rome under Felix III. decreed, That if a bishop, presbyter, or deacon suffered himself to be so rebaptized,[83] he should be degraded, and do penance all his life, without being suffered to communicate either in the prayers of the faithful, or the prayers of the catechumens, and only be admitted to lay communion at the hour of death; because such had not only denied their orders, but their Christianity, and openly professed themselves pagans, by being rebaptized. The civil law confirmed these censures of the church, and added some temporal penalties, to give them greater force; of which the reader may find a more particular account in a former Book.[84]

Sect. 17. 12. For denying themselves to be clergymen.

12. It was a crime of the like nature for any clergyman to deny his order in words, or dissemble his profession before a Jew or a heathen; because this was but one degree below the renunciation of his religion. If any clergyman, says one of the Apostolical Canons,[85] through human fear of a Jew, or a heathen, or a heretic, deny the name of Christ, let him be cast out of the church: if he deny the name of a clergyman, let him be deposed; but upon his repentance let him be received as a layman.

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[75] Conc. Antioch. can. 12.

[76] Anton. August. de Emendatione Gratiani, lib. 1. dial. 11. p. 123.

[77] Baron. an. 341. n. 28.

[78] Schelstrat. de Concilio Antioch. p. 541.

[79] Conc. Veneticum, can. 9. Clericus, si fortasse episcopi sui judicium cœperit habere suspectum, aut ipsi de proprietate aliqua adversus ipsum episcopum fuerit nata contentio, aliorum episcoporum audientiam, non secularium potestatum, debebit ambire. Aliter a communione habebitur alienus.

[80] Canon. Apost. 68.

[81] Optat. lib. 1. p. 44.

[82] Canon. Apost. 47.

[83] Vid. Felic. Ep. 1. cap. 2.

[84] Book XII. chap. 5. sect. 7.

[85] Canon. Apost. 62.

Sect. 18. 13. For publishing apocryphal books.

13. If any clergyman was convict of publishing any apocryphal books, or books written by impious men under false titles, as sacred and pious writings, to the corruption and seducement both of laity and clergy; by another of the Apostolical Canons[86] he was to be deposed. Tertullian gives an instance of the exercise of discipline in this case[87] upon an Asiatic presbyter, who wrote the book called The Acts of Paul and Thecla, under the feigned name of the apostle. He pleaded in his own behalf, that he did it out of love to St. Paul; but this would not satisfy the church; for, upon conviction and confession of the fact, she obliged the man to quit his office for his transgression.

Sect. 19. 14. For superstitious abstinence from flesh, wine, &c.

14. Clergymen were likewise liable to be deposed for any superstitious abstinence from flesh, wine, marriage, or any the like innocent and lawful things; when they refrained from them, not for exercise' sake, but out of a false and heretical opinion, that they were polluted and unclean. There was always a grand dispute about meats and marriage between the church and several sects, that opposed her continually upon this point. Many heretics, such as the Manichees, Priscillianists, and others, pretended to be more spiritual and refined, because they abstained from wine and flesh as things unlawful and unclean; and upon this score censured the church as impure and carnal, for allowing men in the just and moderate use of them. If any clergyman therefore so far complied with heretics, as either in their judgment to approve their errors, or in their practice by a universal abstinence to give suspicion of their siding with them; they made themselves obnoxious to the highest censures. The Apostolical Canons order, That if any bishop, presbyter, or deacon,[88] or any other clerk, abstain from marriage, flesh, or wine, not for exercise, but abhorrence; forgetting, that God made all things very good, and created man male and female, and speaking evil of the workmanship of God; unless he correct his error, he shall be deposed, and cast out of the church. Another canon[89] gives the reason of this censure, because such a one has a seared conscience, and is the cause of scandal to the people. The council of Ancyra[90] condemns the same error, and inflicts the like penalty of degradation upon any clergymen that should be found guilty of it. And in the first council of Braga an order was made, that all clergymen who abstained from flesh, should sometimes eat herbs boiled with flesh, to avoid the suspicion of the Priscillian heresy. And if they refused to do this, they should be excommunicated, and removed[91] from their office, according to the direction of the ancient canons, as men suspected of that heresy, which then reigned in the Spanish churches.

Sect. 20. 15. For eating of blood.

15. But, on the other hand, because it was the custom of the catholic church, almost till the time of St. Austin, to abstain from eating of blood, in compliance with the rule given by the apostles to the Gentile converts; therefore, by the most ancient laws of the church, all clergymen were obliged to abstain from it under pain of degradation. This is evident from the Apostolical Canons,[92] and those of Gangra,[93] and the second council of Orleans,[94] and the council of Trullo.[95] But as this was looked upon by some only as a temporary injunction, so it appears from St. Austin,[96] that in his time it was of no force in the African church. For he says, in his time few men thought themselves under any obligation to observe it, or made any scruple of eating blood. So that this rule of discipline is to be taken with this limitation and restriction, as to what concerns the practice of the ancient church. He that would see more about it, may consult Curcellæus,[97] who has written a large dissertation upon the subject.

Sect. 21. 16. For contemning the fasts and festivals of the church.

16. The custom of the ancient church was, with a great deal of strictness to observe many stated fasts and festivals; as the annual fast of Lent, and the weekly fasts of the stationary days, that is, Wednesday and Friday in every week, and the anniversary returns or commemorations of the great actions of our Saviour's life, and his apostles and martyrs: and therefore some canons lay great penalties especially upon clergymen, who showed any disrespect to these by a wilful contempt or neglect of them. If any bishop, or presbyter, or deacon, or reader, or singer, (says one of the Apostolical Canons,[98]) observe not the Lent fast, or the fast of the fourth and sixth days of the week, he shall be deposed, unless he be hindered by bodily weakness and infirmity. The council of Gangra[99] goes a little further, and denounces anathema to all the ascetics of the church, who without any plea of bodily necessity, but mere pride and haughtiness, neglect and despise the fasts commonly received in the church, and observed by ancient tradition. And another canon[100] denounces anathema likewise against all, who accuse the assemblies made at the monuments of the martyrs, or abhor the service that is performed there, or despise the memorials or annual commemorations that were made in honour of them. A like canon was made in the first council of Carthage, That if any one reproachfully said or did any thing to the

[86] Canon. Apost. 60. [87] Tertul. de Baptismo, cap. 17.
[88] Canon. Apost. 51. [89] Ibid. can. 53.
[90] Conc. Ancyr. can. 14. Vid. Conc. Gangren. can. 2.
[91] Conc. Bracaren. 1. can. 32.
[92] Canon. Apost. 63. [93] Conc. Gangren. can. 2.
[94] Conc. Aurel. 2. can. 20. [95] Conc. Trull. can. 67.
[96] Aug. cont. Faust. lib. 32. cap. 13.
[97] Curcel. de esu Sanguinis, cap. 13.
[98] Canon. Apost. 69. [99] Conc. Gangren. can. 19.
[100] Ibid. can. 20.

dishonour of the martyrs;[101] if he was a layman, he should be put under penance; but if he was a clergyman, after admonition and conviction he should be deprived of his honour and dignity. And some other canons were made by the council of Laodicea[102] to the same purpose.

Sect. 22. 17. For not observing the rule about Easter.

17. Some canons also make it a great transgression, not to observe the rule that was settled by the church in the council of Nice, for fixing the time of keeping the paschal festival. For though a great liberty was allowed before in this matter, by reason of the disputes that were between the Roman and Asiatic churches about it: yet when once the great council of Nice had interposed her authority to end the controversy, it was no longer esteemed a matter of indifferency; but all churches were obliged to comply with her determination. Therefore the council of Antioch not long after made a very peremptory decree,[103] That whoever pertinaciously opposed the rule agreed upon in the Nicene council, should be excommunicated and expelled the church, if he were a layman. And if either bishop, presbyter, or deacon should subvert the people, and disturb the church by keeping Easter, in a different manner, with the Jews, they should be removed from their ministry, and be cast out of the church: and whoever communicated with them after such censure, should be liable to the same condemnation. There was also another way of celebrating Easter with the Jews, by a false calculation making it to fall before the vernal equinox, and so many times bringing two Easters into the same year. Which practice is condemned as Judaical by the author of the Constitutions,[104] and any clergyman complying with it, by the Apostolical Canons[105] is made liable to deprivation also.

Sect. 23. 18. For wearing an indecent habit.

18. If any clergyman wore an indecent habit, unbecoming his order and station in the church, he made himself liable to canonical censure. The first council of Mascon[106] forbids clergymen to wear arms, or a soldier's coat, or any garments or shoes not becoming their profession, after the manner of seculars or laymen. And whoever offended in this kind, was to be confined for thirty days in prison, and fed only with bread and water, for his transgression. But this was a rule only for common and ordinary cases, not for cases of great exigency, or times of persecution. Therefore when the famous Eusebius of Samosata went about the world in a soldier's habit,[107] as the historians relate, to ordain presbyters and deacons in the heat of the Arian persecution; though this was against the letter of another law, which forbade any bishop to ordain in another man's diocese; yet he was never accused by any good catholic for transgressing either law, because the necessity of the thing justified the fact; and these rules, made for common order and decency, were in this case superseded by a rule of superior obligation. For the preservation of the faith and ministry was of much more weight and concern to the church at such a juncture, than the wearing of a habit; and it was no fault in him to wear a soldier's coat in such an exigency, to preserve the church, and pass undiscerned, though it would have been a great violation of the rules of order and decency in other cases. But this only by the way: I now pass on to the remaining laws of discipline which concerned the clergy.

Sect. 24. 19. For keeping hawks or hounds, and following any unlawful diversions.

19. The same rules of the church which obliged clergymen to avoid secular employments, may with good reason be construed also a prohibition of secular diversions, such as hunting, and hawking, and horse-racing, and gaming at dice, and acting of plays and farces, and frequenting the games and sights of the cirque and theatre. All these may be comprehended in the general prohibition of secular things: but there are some canons which more expressly forbid them to the clergy under pain of canonical censure. Bishops, presbyters, or deacons shall not keep dogs or hawks for hunting, says the council of Agde.[108] And if any one is detected in this intention, if he be a bishop, he shall be suspended three months from communion; if a presbyter, two months; if a deacon, he shall wholly cease from his office and communion. The council of Eliberis has a general canon[109] forbidding laymen to play at dice or tables, under the penalty of suspension from communion for a whole year. And that must be supposed with greater force to affect the clergy. Other canons[110] under Charles the Great expressly name the clergy, and refer to the

[101] Conc. Carth. 1. can. 2. Si quis ad injuriam martyrum, claritati eorum adjungat infamiam, placet eos, si laici sint, ad pœnitentiam redigi: si autem sunt clerici, post commonitionem et post cognitionem, honore privari.

[102] Conc. Laodic. can. 34 et 35.

[103] Conc. Antioch. can. 1.

[104] Constit. lib. 5. cap. 17.

[105] Canon. Apost. 5. al. 8.

[106] Conc. Matiscon. 1. can. 5. Ut nullus clericus sagum aut vestimenta aut calceamenta secularia, nisi quod religionem deceat, induere præsumat. Quod si post hanc definitionem clericus aut cum indecenti veste, aut cum armis inventus fuerit, a seniore ita coerceatur, ut 30 dierum inclusione detentus, aqua tantum et modico pane diebus singulis sustentetur.

[107] Vid. Theodorit. lib. 4. cap. 13.

[108] Conc. Agathen. can. 55. Episcopis, presbyteris, diaconibus canes ad venandum, aut accipitres habere non liceat. Quod si quis talium personarum in hac voluntate detectus fuerit, si episcopus est, tribus mensibus se suspendat a communione; presbyter duobus mensibus se abstineat; diaconus vero ab omni officio vel communione cessabit. Vid. Conc. Matiscon. 2. can. 13. Conc. Mogunt. cap. 14.

[109] Conc. Eliber. can. 79.

[110] Conc. Mogunt. cap. 14. Canon. Apost. 42.

ancient rule of the church for the prohibition. And the council of Trullo [111] forbids dice both to the clergy and laity, under the penalty of deprivation to the one, and excommunication to the other. The same council [112] forbids clergymen to act farces as mimics in the theatre, or to bait or hunt wild beasts with dogs, or to dance upon the stage, under the like penalty of deprivation. The council of Laodicea [113] forbids them to be present as spectators at any stage-plays. And the council of Carthage gives a good reason,[114] why neither they nor their children ought either to exhibit or frequent such plays; because they were prohibited to laymen for the blasphemy of those wicked wretches that were concerned in them. They thought it intolerable, that any of the clergy should encourage those things by their presence, which a layman could not see with innocence, nor be a spectator without a censure.

Sect. 25. 20. For suspicious cohabitation with strange women.

20. The most ancient laws of the church did not absolutely impose celibacy upon the clergy, nor universally restrain them from the conjugal state and married life, as has been showed more at large in a former [115] Book. But there were two things in the conversation of the clergy, respecting women, which they very much disallowed and censured. One was the suspicious and scandalous cohabitation of some vain and indiscreet men with strange women, who were none of their kindred. The freedom which these used, obliged the church not only to forbid the clergy to cohabit with such, as they then termed foreigners and strangers, *συνείσακτοι*, in opposition to a mother, a sister, or an aunt, of whom for the nearness of blood there could be no reasonable suspicion; but also induced her to enforce this rule with the utmost severity of discipline upon delinquents. Cyprian [116] commends Pomponius for excommunicating a deacon, who had been found guilty in this kind. And among other reasons alleged by the council of Antioch for deposing Paulus Samosatensis from his bishopric, this is one, that he had always some of these *συνείσακτοι*, or strange women, to attend him, and allowed his presbyters and deacons to have the like,[117] that they might not accuse him. The second council of Arles [118] excommunicates every clergyman above the order of deacons, that retains any woman as a companion, except it be a grandmother, or mother, or sister, or daughter, or niece, or a wife after her conversion. And the council of Lerida [119] orders them to be suspended from their office till they amend their fault, after a first or second admonition.

Sect. 26. 21. For marrying after ordination.

21. The other thing that was generally disliked, was the clergy's marrying a second time, after ordination. They did not, as I said, reject married men from orders, nor oblige them to live separate from their wives after ordination; nay, if a deacon protested before ordination, that he could not continue in an unmarried state, he might marry afterwards,[120] and not forfeit his office, by a decree of the council of Ancyra. But other canons forbid presbyters and bishops to marry after ordination, whether they were married or unmarried before, and this under pain of deprivation. If a presbyter marries a wife, (that is, after he is ordained presbyter, for it regards not his being married before,) let him be removed from his order, says the council of Neocæsarea.[121] The council of Eliberis,[122] and some others in the Latin church, were more rigorous toward the married clergy, and began not only to forbid them to marry after ordination, but to oblige them to relinquish those wives they had married before. But as this was an encroachment upon the primitive rule, and never received in the Greek church, it is not to be reckoned among the standing rules of discipline that concerned the whole church.

Sect. 27. 22. For retaining an adulterous wife.

22. Yet there was one case, in which the clergy were obliged to put away their wives, which was the case of adultery. If the wife of a layman, says the council of Neocæsarea,[123] is convicted of adultery, such a one shall never attain to the ministry of the clergy. If she commits adultery after his ordination, he must put her away, or quit his ministry if he retains her. The council of Eliberis [124] goes a little further, and says, If a clergyman's wife commits adultery, and the husband knows it, and does not immediately put her away, he shall not be admitted to communion even at his last hour; lest they who should be an example of good conversation, should seem to teach others the way to sin.

Sect. 28. 23. For non-residence.

23. There were some laws also relating to the residence of the clergy,

111 Conc. Trull. can. 50. 112 Ibid. can. 51.

113 Conc. Laodic. can. 54.

114 Conc. Carth. 3. can. 11. Ut filii sacerdotum vel clericorum spectacula secularia non exhibeant, sed nec spectent, quoniam a spectaculo et omnes laici prohibeantur. Semper enim Christianis omnibus hoc interdictum est, ut ubi blasphemi sunt, non accedant.

115 Book IV. chap. 5. sect. 5, &c.

116 Cypr. Ep. 62. al. 4. ad Pompon.

117 Euseb. lib. 7. cap. 30.

118 Conc. Arelat. 2. can. 3. Si quis de clericis a gradu diaconatus, in solatio suo mulierem, præter aviam, matrem, sororem, filiam, neptem, vel uxorem secum conversam, habere præsumpserit, alienus a communione habeatur.

119 Conc. Ilerden. can. 15. 120 Conc. Ancyr. can. 10.

121 Conc. Neocæsar. can. 1.

122 Conc. Eliber. can. 33. Vid. Conc. Agathen. can. 9. Arausican. 1. can. 23. Carthag. 5. can. 3. Matiscon. 1. can. 11. 123 Conc. Neocæsar. can. 8.

124 Conc. Eliber. can. 65. Si cujus clerici uxor fuerit mœchata, et sciat eam maritus suus mœchari, et eam non statim projecerit, nec in fine accipiat communionem: ne ab his, qui exemplum bonæ conversationis esse debent, videantur magisteria scelerum procedere.

which was strictly enjoined, with a denunciation of canonical censure to the transgressors. The several laws requiring residence have been noted in another place:[125] here I shall only mention such of them as specify the punishments that were to be inflicted on offenders in this kind. Among these, that canon of the council of Agde[126] is most remarkable, which decrees, That a presbyter or deacon, who was absent from his church three weeks, should be three years suspended from the communion. And by the laws of Justinian,[127] every bishop, absenting from his church beyond a certain term, and that upon very weighty affairs and great necessity, or the will of his prince, is ordered to be removed from the college of bishops, as a man unworthy of his station. And the better to guard against this offence, as no clergyman was allowed to travel without the licence and commendatory letters of his bishop; so neither might any bishop travel or appear at court without the licence and approbation of his metropolitan. This was expressly provided by the same laws of Justinian,[128] and before him by the third council of Carthage, which orders, That no bishop shall go beyond sea[129] without consulting his primate, or chief bishop of the province, and taking his *formatæ*, or letters of commendation. And before this the council of Antioch[130] made an order, That no bishop or presbyter, or any other belonging to the church, should go to court upon any occasion to address the prince, without the consent and letters of the provincial bishops, and especially the metropolitan, under the penalty of being cast out of communion, and losing his honour and dignity in the church. And to this agree the rules and decrees of Pope Hilary[131] and Gregory the Great,[132] made in conformity to the ancient rules of discipline in the church.

Sect. 29. 24. For attempting to hold preferment in two dioceses.

24. The clergy were further obliged to confine themselves to one church: that is, as I have formerly had occasion to explain it, one diocese, or diocesan church, under the jurisdiction of one bishop; and not to seek or attempt to hold preferment under two bishops in two distinct churches, or different jurisdictions. In this sense pluralities were forbidden under the penalty of deprivation. The council of Chalcedon[133] is very express to this purpose: It shall not be lawful for any clergyman to have his name in the church roll or catalogue of two cities at the same time, that is, in the church where he was first ordained, and any other to which he flies out of ambition as to a greater church, but all such shall be returned to their own church, where they were first ordained, and only minister there. But if any is regularly removed from one church to another, he shall not partake of the revenues of the former church, or of any oratory, hospital, or alms-house belonging to it. And such as shall presume, after this definition of this great and œcumenical council, to transgress in this matter, are condemned to be degraded by the holy synod.

Sect. 30. 25. For needless frequenting of public inns and taverns.

25. The canons had also a great respect to the external and public behaviour of the clergy; obliging them to walk circumspectly, and abstain from things of ill fame, though otherwise innocent and indifferent in themselves, that they might cut off all occasions of obloquy, by avoiding all suspicious actions and all appearances of evil. In regard to which they not only censured them for rioting and drunkenness, (which were vices not to be tolerated even in laymen,) but forbade them so much as to eat or appear in a public inn or tavern, except they were upon a journey, or some such necessary occasion required them to do it, under pain of ecclesiastical censure. The council of Laodicea,[134] and the third council of Carthage,[135] forbid it universally to all orders of the clergy; and the Apostolical Canons[136] more expressly, with a denunciation of censure, viz. an ἀφορισμὸς, excommunication or suspension from their office, to any that should be found in a tavern, except they were upon a journey, and the necessity of their affairs required it.

Sect. 31. 26. For conversing familiarly with Jews, heretics, or Gentile philosophers.

26. For the same reason the canons prohibited them conversing familiarly with Jews, heretics, and heathens, especially Gentile philosophers, because of the scandal attending such communication. The laws forbidding all communication with Jews and heretics have been mentioned upon another occasion;[137] I shall here only add that remarkable story which Sozomen[138] tells of Theodotus, bishop of Laodicea in Syria, how he excommunicated the two Apollinarii, father and son, because they went to hear Epiphanius the sophist speak his hymn in the praise of Bacchus, which was a thing so disagreeable to their character, the one being a presbyter, the other a deacon, in the Christian church.

Sect. 32. 27. For using over-rigorous severity towards lapsers.

27. As clergymen were obliged to show a just severity to impenitent sinners, by putting the laws of discipline duly in execution against them; so, on the other hand, an over-rigorous severity and stiffness

[125] Book VI. chap. 4. sect. 7. [126] Conc. Agathen. can. 64.
[127] Justin. Novel. 6. cap. 2. [128] Ibid. cap. 3.
[129] Conc. Carth. 3. can. 28. Ut episcopi trans mare non proficiscantur, nisi consulto primæ sedis episcopo, sive cujuscunque provinciæ primate, ut ab episcopo præcipue possint sumere formatam sive commendationem.
[130] Conc. Antioch. can. 11.
[131] Hilar. Ep. 8. ad Episcopos Galliæ.
[132] Gregor. lib. 7. Ep. 8. [133] Conc. Chalced. can. 10.
[134] Conc. Laodic. can. 24. [135] Conc. Carth. 3. can. 27.
[136] Canon. Apost. 53. al. 54. [137] Book XVI. chap. 6. sect. 3 and 10. [138] Sozom. lib. 6. cap. 25.

in refusing to receive and reconcile penitent lapsers, after they had made canonical satisfaction, was a great offence, and such a manifest abuse of the ministerial power, as the church thought fit to correct with some sharpness in her clergy. If any bishop, presbyter, or deacon, say the Apostolical Canons,[139] receives not one that turns from sin, but casts him out, let him be deposed; because he grieves Christ, who said, "There is joy in heaven over one sinner that repenteth." This was not the true exercise of discipline, but imperiousness and humour, and a mere domineering over God's heritage, by an exorbitant stretch of the ministerial power. It was the very thing which the Novatian heretics contended for, and what the church always opposed and condemned in them; and therefore when any of her own clergy assumed to themselves this extravagant power, she justly esteemed them infected with this Novatian principle of cruelty, and as such made them liable to the sentence of deprivation.

Sect. 33. 28. For want of charity to indigent clerks.

28. There was another sort of cruelty which the church also much resented in any of her clergy; which was, want of charity to any that were indigent and distressed in their own order. As charity obliges men to do good to all as they have opportunity, but more especially to those who are of the household of faith; so clergymen were more especially obliged to assist those who were joined with them in the same ministry, and united more closely by a stricter bond of fraternity in the same occupation and employment. Therefore the Apostolical[140] Canons censure this as a great transgression in these very sharp terms: If any bishop or presbyter refuse to give necessaries to any clergyman that is in want, let him be cast out of communion; and if he persist, let him be deposed, as a murderer of his brother.

Sect. 34. 29. For judging in cases of blood.

29. It was thought also some sort of cruelty, at least a very improper and unbecoming thing, for any clergyman to be concerned in judging or giving sentence in cases of blood. The laws allowed them to be chosen arbitrators of men's differences in civil causes; but they had no power at all in criminal causes, except such as were purely ecclesiastical; and least of all in such criminal causes where life and death was concerned. Therefore there are many canons forbidding this under the penalty of the highest censure of deprivation. The council of Tarragone universally forbids the clergy to sit judges[141] in any civil criminal causes. The council of Auxerre[142] more particularly enjoins presbyters not to sit in judgment, when any man is to be condemned to die. And in another canon[143] forbids both presbyters and deacons to stand at the *trepalium*, where criminals were put to the rack and examined by torture. The fourth council of Toledo[144] allows not priests to sit judges in cases of treason, even at the command of the prince, except the prince promised beforehand upon oath, that he would pardon the offence, and remit the punishment. If they did otherwise, they were to be held guilty of bloodshed before Christ, and to lose their order and degree in the church. The eleventh council of Toledo goes a little further,[145] not only excluding such from the honour of their order and station, but from all communion during their whole lives, which they are only to be allowed at the point of death.

Sect. 35. Bishops might be suspended or degraded for giving ordinations contrary to the canons.

These were the chief of those rules of ancient discipline which concerned the clergy in general: beside which, there were some which had a more peculiar respect to the persons of each particular order. Bishops might be suspended or degraded for several offences committed against the rules of their office and duty peculiar to their function. As, first, for wilful transgression of the known laws of ordination. If any bishops pretended to ordain a man into a full see, where another was regularly ordained before him; or if two or three bishops ordained a bishop clancularly without the consent of the rest of the provincial bishops and the metropolitan; not only the bishop so ordained was to be deposed, but the bishops who presumed to give him such an ordination:[146] which was the case of Trophimus, and those two other obscure bishops who ordained Novatian; for which offence, as Cyprian and Cornelius often tell us, they were degraded, and reduced to lay communion. If any bishop ordained those that were baptized by heretics, or rebaptized by them, he was liable to be deposed[147] for his transgression. If a bishop for favour ordained any of his own unworthy kindred, by a rule of the Apostolical Canons,[148] he was liable to be suspended. If a bishop ordained any in another man's diocese, by a rule of the same Apostolical Canons, he was liable[149] to be deposed, as well as the persons so ordained by him. All these things have been more fully showed in the third section of this chapter, to which the reader may have recourse.

139 Canon. Apost. 52. 140 Ibid. 59.

141 Conc. Tarracon. can. 4. Habeant licentiam judicandi, exceptis criminalibus negotiis.

142 Conc. Antissiodor. can. 34. Non licet presbytero in illo judicio sedere, unde homo ad mortem tradatur.

143 Ibid. can. 33. Non licet presbytero, nec diacono, ad trepalium, ubi rei torquentur, stare.

144 Conc. Tolet. 4. can. 31. Ibi consentiant regibus fieri judices, ubi jurejurando, supplicii indulgentia promittitur; non ubi discriminis (al. sanguinis) sententia præparatur. Si quis ergo sacerdotum discussor in alienis periculis extiterit, sit reus effusi sanguinis apud Christum, et apud ecclesiam perdat proprium gradum.

145 Conc. Tolet. 11. can. 6. His, a quibus Domini sacramenta tractanda sunt, judicium sanguinis agitare non licet, &c. 146 Vid. Conc. Arausican. 1. can. 21.

147 Vid. Felic. III. Ep. 1. c. 5.

148 Canon. Apost. 76. 149 Ibid. 36.

To which I only add, that if a bishop ordained a man who had done public penance in the church, he himself was to be deprived[150] of the power of ordination.

Sect. 36. Also for neglecting to put the laws of discipline in execution.

2. If bishops neglected to put the laws of discipline in execution, which was a peculiar act belonging to their office, they were liable to be deposed for such neglect and contempt of discipline, as well as those whom they ought to have punished with ecclesiastical censure. This is evident from the case put by Pope Felix,[151] of some who had been baptized or rebaptized by heretics, and were afterward irregularly ordained in the church: not only they who ordained them were liable to be deposed, but also those bishops who knew them to be so ordained, and did not remove them from their office, by putting the laws of discipline in execution against them. So again, if a presbyter or deacon assumed to themselves any office without the authority of the bishop not belonging to them, and the bishop connived at their usurpation, he himself was liable[152] to canonical censure for his tameness in not correcting them for their presumption.

Sect. 37. For dividing their diocese, and erecting new bishoprics without leave: or extending their claim to other men's rights beyond their own limits and jurisdictions.

3. Bishops rendered themselves obnoxious to canonical censure, if they made any attempts to alter the boundaries or districts of the church, settled by ancient law and custom, without the advice and consent of a provincial synod. Dioceses might be divided upon just reasons, and new ones be erected out of them; either when they were too large for one bishop's care; which made St. Austin divide the diocese of Hippo, and take the new bishopric of Fussala out of it: or else, when the prince thought fit to advance some eminent town or village into a city; then that city might be made a new bishopric by the consent of a provincial council. But if any one ambitiously got himself ordained bishop of a village, where there never had been any bishop before; or as ambitiously solicited the prince to turn a village into a city, that he might be made the bishop of it: in such cases, the church thought fit to correct the lofty thoughts of aspiring men, and defeat their attempts, by denying them those honours they had taken such indirect methods to obtain, and putting them under the censure of a deprivation. There are many canons and rules of discipline, which forbid this practice; but the rule made in one of the councils of Toledo is most remarkable, being an inference made upon a special case from all the ancient canons (forbidding bishops to be ordained in villages) which are there recited. King Wamba by an imperious mandate had enjoined some bishops to ordain other bishops in several villages and monasteries, lying in the suburbs of Toledo and other places; against which innovating attempt and usurpation the council first cites the ancient canons, and then concludes with a new decree in these words: If any one shall offer to go against the prescription of these canons,[153] in procuring himself to be made a bishop in those places where there never was any bishop before, let him be anathema in the sight of God Almighty. And let moreover both the ordainer and the ordained lose the degree of their order, because they attempt not only to infringe the decrees of the ancient fathers, but the institutions of the apostles. The council of Chalcedon made a like decree[154] against any that should presume to address the higher powers to get a province divided into two, in order to erect a new metropolis in it. This, they say, was against the rule of the church, and therefore they denounce deprivation against any one that should attempt it.

Sect. 38. For not attending provincial councils.

4. Bishops were obliged to attend provincial councils; and if they refused or neglected to do this without a reasonable cause, they were liable to suspension. To this purpose there is a decree in the second council of Arles. If any one neglects to be present,[155] or leaves the assembly of his brethren before the council be ended, he shall be excluded from the communion of his brethren, and not be received again, till he is absolved by the following synod. The same decree is repeated by the council of Tarragone,[156] and said to be conformable to the rules of the fathers, that if any bishop contemptuously omit to come to synod, when he is called by his metropolitan, unless he be under some great bodily infirmity, he shall be deprived of the communion of all the bishops to the sitting of the next council; which the African synods call,[157] being content with the communion of his own church only.

Sect. 39. For oppressing the people with unjust exactions.

5. If any bishop oppressed his people, or any part of them, with hard usage, unjust demands, or unreason-

[150] Vid. Conc. Carthag. 4. can. 68.

[151] Felic. III. Ep. 1. c. 5.

[152] Vid. Gelasii Epist. 9. ad Episc. Lucaniæ, cap. 7.

[153] Conc. Tolet. 12. can. 4. Si quis contra hæc canonum interdicta venire conatus fuerit, ut in locis illis se episcopum eligat fieri, ubi episcopus nunquam fuit, anathema sit in conspectu Dei Omnipotentis. Et insuper tam ordinator, quam ordinatus, gradum sui ordinis perdat: quia non solum antiquorum patrum decreta, sed et apostolica ausus est convellere instituta.

[154] Conc. Chalced. can. 12.

[155] Conc. Arelat. 2. can. 19. Si quis autem adesse neglexerit, aut cœtum fratrum, antequam dissolvatur concilium, crediderit deserendum, alienum se a fratrum communione cognoscat, nec eum recipi liceat, nisi in sequenti synodo fuerit absolutus.

[156] Conc. Tarracon. can. 6. Si quis episcoporum commonitus a metropolitano, ad synodum, nulla gravi intercedente necessitate corporali, venire contempserit, sicut statuta patrum censuerunt, usque ad futurum concilium cunctorum episcoporum charitatis communione privetur.

[157] Conc. Carthag. 5. can. 10. et Cod. Afric. can. 77

able exactions; it was peculiarly provided in this case by the laws of the African church, that he should be amerced or punished with the loss of that part of his diocese or people, who had reason to complain of such oppression. I have already noted this in the last chapter, sect. 4, out of one of St. Austin's epistles,[158] where he neatly defends this way of proceeding with bishops, when their offences were neither so great, as to deserve deprivation; nor so small, as to be perfectly overlooked, or let wholly pass without a censure.

Sect. 40. For harbouring such as fled from another diocese without leave.

6. Finally, whereas it was provided by the canons, that no bishop should harbour or encourage any clerk flying from his own diocese, nor any monk deserting his own monastery; some councils took care to prevent this abuse, not only by degrading the deserting clerk, but by inflicting canonical punishment upon the bishop that so countenanced or received him. The council of Antioch[159] leaves it in general to the synod, to punish such an offending bishop. The Apostolical Canons[160] are more particular, that he shall be suspended from his office, as a master of disorder. But in Africa they had a more peculiar sort of punishment for such a bishop, which was, that he should communicate with no other bishop of the province, but be content with the communion of his own church:[161] which, as has been observed, was a moderate punishment for offences of a lower rate, which neither deserved to be punished with deprivation, nor yet escape wholly unpunished as no offences.

Sect. 41. *Chorepiscopi* might be censured for acting beyond their commission.

Next to the bishop there were a sort of ecclesiastical persons, whom the ancient church called *chorepiscopi*, or country bishops, because they officiated in certain episcopal duties under the city bishop in country districts. These acted by a limited and dependent power, but many times were inclined to assume a power to themselves beyond their commission. Therefore the church was obliged to make certain laws and rules to restrain and correct their usurpations. These might ordain the inferior clergy, subdeacons, readers, and exorcists, by a general commission, but not presbyters or deacons without a special licence; yet sometimes they would take upon them to do that also without consulting the city bishop; for which offence they were liable by the canons[162] to lose their office and be degraded.

Sect. 42. And presbyters for usurping upon the episcopal office.

The like may be observed of presbyters, who were assistants to bishops in performing their office, but with certain limitations, that they should not meddle with such parts of it as they reserved absolutely to themselves; such as ordination and consecration of chrism, for the use of confirming, and the consecration of churches and altars. And if presbyters at any time exceeded the limits of their commission and order, by assuming the exercise and power of these things to themselves, by the laws of the church they were liable to be divested of their ordinary power, which otherwise they might have enjoyed, and made subject to the penalty of a total deprivation. Thus when Eutychianus and Musæus, who were no bishops, had ordained several clerks, the council of Sardica ordered,[163] that for this presumption they should be deprived of their orders, and entirely reduced to the communion of laymen. And in the first council of Braga[164] a decree was made, prohibiting presbyters either to consecrate the chrism, or churches, or altars, under pain of deposition from their office; because the ancient canons always forbid it.

Sect. 43. And deacons for assuming offices and privileges above their order and station.

Deacons likewise were confined to certain offices and stations appropriated to their order; above which if they presumed ambitiously to aspire, and thrust themselves into the presbyter's duty, or any ways insult them, they also incurred the highest censures. The council of Nice[165] takes notice of some such usurpations and abuses committed by deacons; that in some places the deacons took upon them to distribute the sacrament to presbyters; and to receive it before bishops themselves; and to sit in the midst of the presbyters: which being contrary both to rule and custom, it is ordered that such assuming deacons should be suspended, or cease from their ministry, as the words πεπαύσθω τῆς διακονίας seem rather to signify. The second council of Arles has a canon to the same purpose,[166] that deacons shall not sit in the *secretarium* or vestry among the presbyters; nor presume to deliver the body of Christ, when a presbyter is present. If they do, they shall cease to officiate any longer as deacons.

Thus every order among the clergy had their particular offices assigned them; and not only neglects and omissions of their duty, but intermeddling with offices that did not belong to them, and assuming powers that were foreign to their order, was a sufficient cause of suspension or deprivation. And so I have done with what relates more peculiarly to the discipline of the clergy.

[158] Aug. Ep. 261. [159] Conc. Antioch. can. 3.
[160] Canon. Apost. 16.
[161] Conc. Carth. 5. can. 13. Episcopus qui hoc fecerit, a cæterorum communione sejunctus, suæ tantum plebis communione contentus sit.
[162] Vid. Conc. Antioch. can. 10. [163] Conc. Sardic. can. 20.
[164] Conc. Bracaren. 1. can. 37. Si quis presbyter post hoc interdictum ausus fuerit chrisma benedicere, aut ecclesiam aut altare consecrare, a suo officio deponatur. Nam et antiqui canones hoc vetuerunt. [165] Conc. Nic. can. 18.
[166] Conc. Arelaten. 2. can. 15. In secretario diaconos inter presbyteros sedere non liceat; vel corpus Christi, præsente presbytero, tradere non præsumant. Quod si fecerint, ab officio diaconatus abscedant

BOOK XVIII.

OF THE SEVERAL ORDERS OF PENITENTS, AND THE METHOD OF DOING PUBLIC PENANCE IN THE CHURCH BY GOING THROUGH THE SEVERAL STAGES OF REPENTANCE.

CHAPTER I.

OF THE SEVERAL ORDERS OF PENITENTS IN THE CHURCH.

Sect. 1. Penitents divided into four orders or classes.

WE have hitherto considered the discipline of the church, as exercised upon obstinate and notorious criminals, in order to bring them to repentance: we are now to examine it again in its progress, as exercised upon penitents, who submitted to the rules of discipline, and see how they were treated in the performance of their penance, from the time of their excommunication to the time of their admission into the church again. The performance of penance anciently was a matter of considerable length and time, to examine men's behaviour and sincerity, and make them give just testimony and evidence of real sorrow and hearty abhorrence of their sins, to satisfy the church that they were sincere converts, by submitting to go through a long course of penance, according as the wisdom of the church thought fit to impose it upon them. And upon this account the church was used to divide her penitents into four distinct ranks or classes of different degrees, called by the Greeks, προσκλαίοντες, ἀκροώμενοι, ὑποπίπτοντες, and συνιστάμενοι; and by the Latins, *flentes*, *audientes*, *substrati*, and *consistentes;* that is, the mourners or weepers, the hearers, the substrators, and the co-standers; the meaning of which names and distinctions shall be explained by and by. Some add to these a fifth order, but without any just ground or reason for it. Bellarmine[1] says, there was a fifth place, of such penitents as had fully completed their penance, and only waited for the time of reconciliation. And the place of these penitents, he says, was called μέστωσις, or the completion. Our learned Dr. Cave also[2] slides unwarily into the same mistake, making five orders of penitents, whereof the fifth and last, he says, were called *communicantes*, and were admitted to the participation of the holy sacrament. But it is most certain, there never was any such order of penitents, under the name of communicants, or partakers of the holy sacrament, acknowledged in the church. For communicants, absolutely so called, as denoting partakers of the eucharist, are every where distinguished from the penitents, and go by other names, πιστοὶ, τέλειοι, &c., the faithful, and perfect; that is, persons not under discipline and public penance, which is an imperfect state of communion, but in the perfect, peaceable, and full communion of the church: none of which ever go by the name of penitents, in any ancient writer. Some penitents, indeed, are said to communicate imperfectly with the church in some one particular thing; as the fourth order of penitents, called co-standers, are said often to communicate in prayers without the oblation or eucharist: but these, as they did not partake of the eucharist, so neither were they ever reputed perfect communicants in the church, till they were restored to the τὸ τέλειον, the complete communion of the faithful at the altar. So that there is no manner of ground for this fifth order of penitents, the invention of which is entirely owing to a mistake, and implies a contradiction.

Sect. 2. The first original of this distinction.

As to the other four orders of penitents, it is generally agreed among learned men, that the church observed such a distinction; but how early, is not indisputably certain. Cardinal Bona thinks[3] the distinction of penitential classes was first made about the time of the Novatian schism, that is, about the middle of the third century. And Suicerus,[4] speaking of the order of penitents called hearers, says, There is no mention made of it before the time of Novatus; though, otherwise, a place for hearing the Scriptures

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[1] Bellarm. de Pœniten. lib. 1. cap. 22. t. 3. p. 959.
[2] Cave, Prim. Christ. lib. 1. cap. 8.
[3] Bona de Rebus Liturgic. lib. 1. cap. 17. n. 3.
[4] Suicer. Thesaur. Eccles. t. 1. p. 171. voce Ἀκρόασις. Vid. Constitut. Apost. lib. 2. cap. 16.

and sermon was allowed in the church for heathens, Jews, heretics, schismatics, and the second rank of the catechumens, who, upon that account, were commonly termed hearers, long before the name was given to any sort of penitents as a distinct order.

Sect. 3. Of the *flentes*, or mourners.

But in the third and fourth century we commonly find the penitents distinguished into four orders; the first of which were the *flentes*, or mourners, who were rather candidates of penance, than penitents strictly speaking. Their station was in the church porch, where they lay prostrate, begging the prayers of the faithful as they went in, and desiring to be admitted to do public penance in the church. This is what Tertullian means, when he says,[5] they were used to fall down at the presbyters' feet, and kneel to the friends of God, and entreat all the brethren to recommend their petition, and intercede with Heaven for them. And so the historian represents the practice[6] of Ecebolius the sophist, who having apostatized under Julian, desired to make his recantation, and do penance, under Jovian: the first step toward which was, that he cast himself prostrate to the earth before the gate of the church, crying out, *Calcate me insipidum salem*, Tread me under foot as salt without savour. Some canons[7] pass over this act as only a preliminary to repentance; but Gregory Thaumaturgus and St. Basil expressly mention it in their canons. Gregory[8] says, The place of the mourners is without the gate of the church, where the sinner must stand, and beg the prayers of the faithful, as they enter in. And St. Basil thus describes the four stations of penitents: The first year[9] they are to weep before the gate of the church; the second year, to be admitted to hearing; the third year, to genuflexion, or repentance properly so called; and the fourth year, to stand with the faithful at prayers without partaking of the oblation. And in this sense we may understand that passage in St. Ambrose,[10] where, speaking to one that had corrupted a virgin, he tells him, his only method now was to implore the help of the saints, (meaning, not saints in heaven, but saints on earth in the church,) and to cast himself at the feet of the elect: which seems plainly to allude to this custom. In like manner Eusebius,[11] describing the behaviour of Natalis the confessor, upon his return to the church from the Theodotian heretics, (who had allured him by great rewards to become bishop of their party,) says, he came in sackcloth and ashes, and with tears cast himself at the feet of Zephyrinus, then bishop of Rome; and not only laid himself under the feet of the clergy, but the laity also; endeavouring to move the merciful church of the merciful Christ to compassion with his tears, and by showing them the marks of the stripes which he had endured for the confession of Christ. Where falling at the feet of the laity, as well as the clergy, can hardly refer to any thing else beside this preparatory introduction to penance, which the mourners used in the church porch, when they cast themselves before the people, to beg their prayers, and obtain admission into the first apartment of the church.

Sect. 4. Of the *audientes*, or hearers.

When their petition was thus accepted, they were said to be admitted to penance, that is, to have liberty to pass through the several stages of discipline, which the church appointed for the probation and trial of such as pretended real sorrow for any notorious offence, and the scandal given to the church by the commission of it. This is the true meaning of those common phrases, which so often occur in the writings of the ancients, *pœnitentiam dare*, and *pœnitentiam accipere*, giving and receiving penance, that is, granting or accepting the conditions of public penance in the church. Now, when men were admitted to this state, they were termed *audientes*, or hearers, which was the second order of penitents; or, if we please, the first of these that had any privilege to enter the church. These were allowed to stay and hear the Scriptures read, and the sermon preached; but were obliged to depart before any of the common prayers began, with the rest of those, catechumens and others, who went by the general name of hearers only. There is frequent mention made of these in the ancient canons,[12] prescribing how long penitents were to continue in this station, a year, or two, or three, according as their offence required. Gregory Thaumaturgus particularly assigns them their station in the *narthex*,[13] or lowest part of the church, where they stood to hear with the catechumens of the first or second order, called hearers, and were dismissed with them as soon as the sermon was ended, before any prayers begun. St. Basil[14] says expressly, they were hearers only, and not allowed to be present at any prayers whatsoever. Which agrees exactly with the order in the Constitutions,[15] where the deacon is appointed to make proclamation, as soon as the sermon was ended, *Ne quis audientium, ne quis infidelium:* Let none of the hearers, let none of the unbelievers be present.

[5] Tertul. de Pœnitent. cap. 9. Presbyteris advolvi, charis Dei adgeniculari, omnibus fratribus legationes deprecationis suæ injungere. Vid. lib. de Pudicit. cap. 13.
[6] Socrat. lib. 3. cap. 13.
[7] Conc. Nic. can. 11 et 12. Conc. Ancyr. can. 4, 6, 9.
[8] Greg. Thaumaturg. can. 11.
[9] Basil. can. 22. Vid. can. 56, 57, 58, 59, 64, 66, 75. ibid.

[10] Ambros. ad Virgin. lapsam, cap. 8. Sanctorum petas auxilium, jaceas sub pedibus electorum.
[11] Euseb. lib. 5. cap. 28.
[12] Conc. Nic. can. 11 et 12. Conc. Ancyr. can. 4, 6, 9.
[13] Greg. Thaum. can. 11.
[14] Basil. can. 75. Vid. Greg. Nyssen. can. 3.
[15] Constit. lib. 8. cap. 5.

Sect. 5. Of the kneelers, or prostrators.

And in this they were distinguished from the penitents of the third order, who were called *γονυκλίνοντες* and *ὑποπίπτοντες* by the Greeks, and *genuflectentes* or *substrati* by the Latins; that is, kneelers or prostrators, because they were allowed to stay and join in certain prayers particularly made for them, whilst they were kneeling upon their knees. Bellarmine commits a strange mistake, and betrays a great deal of ignorance in the Greek tongue, whilst he explains the name *ὑποπίπτωσις* to be the station of those[16] who were occupied in the contemplation of heavenly things; taking the word to come from *ὄπτομαι, video*, to see or contemplate; whereas every one knows it comes from *ὑποπίπτω*, to kneel, or fall down and lie prostrate on the ground, whence they were properly denominated kneelers or prostrators. These were allowed to stay in the church after the hearers were dismissed, and hear the prayers that were offered up particularly for them by all the people, and receive imposition of hands from the bishop, who also made a particular prayer for them, which was styled, the imposition of hands upon the penitents, and the bishop's benediction. The council of Laodicea[17] speaks of these prayers under this very title, calling them the prayers of those that were under penance and imposition of hands. St. Chrysostom also mentions them more than once,[18] styling them the prayers for the penitents, and the prayers full of mercy, because in them intercession was made to God for the penitents by the common voice both of the minister and people. The author of the Constitutions[19] has the forms of these prayers, which I omit here, because they have been recited at length in a more proper place,[20] where we give an account of the ancient liturgy, or service of the church. The station of this sort of penitents was within the nave or body of the church,[21] near unto the *ambon*, or reading desk, where they received the bishop's imposition of hands and benediction. Some canons[22] style this order simply the *penitents*, by way of emphasis, without any other distinction, because they were the most noted, and the greatest part of penitential acts belonged to them, whilst they were in this station, of which I shall give a more particular account in the following chapters.

Sect. 6. Of the *consistentes*, or co-standers.

The last order of penitents were the *συνιστάμενοι*, *consistentes*, or co-standers, so called from their having liberty (after the other penitents, energumens, and catechumens were dismissed) to stand with the faithful at the altar, and join in the common prayers, and see the oblation offered; but yet they might neither make their own oblations, nor partake of the eucharist with them. This the council of Nice[23] calls communicating with the people in prayers only, without the oblation; which, for the crime of idolatry, was to last for two years, after they had been three years hearers and seven years prostrators before. The council of Ancyra[24] often uses the same phrase of communicating in prayers only, and communicating without the oblation; and in one canon[25] expressly styles this order of penitents the *συνιστάμενοι*, co-standers; by which name they are also distinguished in the canons of Gregory Thaumaturgus,[26] and frequently in the canons of St. Basil.[27] In all which we may observe, that the word communicating does not always signify partaking of the eucharist, but communicating in prayers only without the oblation, which was but an imperfect sort of communion; in opposition to which, when they were admitted again to the eucharist, they were said *ἐλθεῖν ἐπὶ τὸ τέλειον*,[28] to attain to perfection; the participation of the eucharist being the highest state, or consummation and perfection of a Christian. This is the short account of these several orders of penitents, and their stations in the church: but to have a complete view of the ancient manner of performing penance, it will be necessary to consider, both the ceremony of admission to this state, and the several acts of penance which they performed during their progress or passage through the several stages of it; as also the length of time, or the duration and continuance of this exercise; which was often for a course of many years, and sometimes to the hour of death, without any remission or relaxation. The considering all which will give us an exact and clear idea of the ancient discipline, and show us at once both the severity, and prudence, and purity of the church, in proceeding with sharpness against great delinquents, as well to examine the sincerity of their repentance, as to take off the scandal cast upon religion, and prevent their backsliding and relapses for the future. Of these things therefore in the following chapters.

16 Bellar. de Pœnit. lib. 1. cap. 22. t. 3. p. 959.

17 Conc. Laodic. can. 19.

19 Chrys. Hom. 18. in 2 Cor. p. 873. Hom. 72. in Matt. p. 624.

19 Constit. lib. 8. cap. 8 et 9.

20 Book XIV. chap. 5. sect. 10.

21 Gregor. Thaumaturg. can. 11.

22 Conc. Laodic. can. 19.

23 Conc. Nic. can. 11. *Δύο ἔτη χωρὶς προσφορᾶς κοινωνήσουσι τῷ λαῷ τῶν προσευχῶν.* Vid. can. 12. ibid.

24 Conc. Ancyr. can. 4. *Εὐχῆς μόνης κοινωνῆσαι.* Can. 5. *Κοινωνησάτωσαν χωρὶς προσφορᾶς.* It. can. 8, 16, 25

25 Ibid. can. 25.

26 Greg. Thaumat. can. 11.

27 Basil. can. 22, 56, 57, 58, 59, 61, 66, 75.

28 Conc. Ancyr. can. 4, 5, 6.

CHAPTER II.

OF THE CEREMONIES USED IN ADMITTING PENITENTS TO DO PUBLIC PENANCE, AND THE MANNER OF PERFORMING IT IN THE CHURCH.

Sect. 1. Penitents first admitted to penance by imposition of hands.

WHEN a penitent desired to be admitted to do public penance, and his petition was accepted, the first ceremony that was used was to grant him penance, as the phrase was, by imposition of hands. For this was a ceremony used almost in all religious actions, when any person was solemnly to be recommended to God in prayer. There were many other impositions of hands given them daily, when they came into the third order of penitents; but this was previous to their admission, or rather the form and ceremony of it, when they were first taken in to be hearers in the church. For this we have the plain testimony of the council of Agde,[1] which orders, that penitents, at the time when they desire to be admitted to do penance, shall receive imposition of hands from the bishop, and sackcloth to cover their heads.

Sect. 2. And obliged to appear in sackcloth and ashes upon their head.

In which canon we may observe another rite and custom of common use in this matter; which was, that penitents were obliged to appear in sackcloth, as an indication and token of their great sorrow and indignation against themselves. Other writers join sackcloth and ashes together: for so Eusebius, describing the penitential mien of Natalis the confessor, upon his return from the Theodotian heretics to the church, says,[2] he came clothed in sackcloth and sprinkled with ashes. And St. Ambrose, writing to a virgin that had lapsed, plainly alludes to both customs, when he tells her[3] she must macerate her whole body, sprinkling it with ashes, and covering it with sackcloth. In like manner Tertullian,[4] discoursing of public penance, says, it obliges the sinner to change both his diet and his habit, to defile his body, and lie in sackcloth and ashes. Neither were the greatest personages exempted from this ceremony. For St. Jerom,[5] describing the penance of Fabiola, one of the greatest ladies in Rome, says, she stood in sackcloth in the order of penitents in the Lateran church, to make public confession of her fault in the sight of all the people of Rome. And they continued the use of it during their passage through all the stages of repentance. For even at last they appeared in sackcloth, when the course of their whole penance was ended, and in this garb (as the council of Toledo[6] words it) were absolved, and reconciled to the altar of God. And this is always the meaning of those expressions, which speak of penitents changing their garb, and taking the mournful habit of repentance. Some think this was always done precisely on Ash Wednesday, or the beginning of Lent, which from thence was called *dies cinerum*, the day of sprinkling ashes, and *caput jejunii*, the head or beginning of the fast. But this, for ought I can find, is founded upon very uncertain tradition, and the authority of modern authors; there being a perfect silence in the more ancient writers about it. Bellarmine cites the authority of the council of Agde[7] for it; but this is only to be found in Gratian,[8] for there is no such canon in the tomes of the councils. And the Roman correctors of Gratian own as much, referring us to the Roman Penitentiale, and Pontifical, and the Ordo Romanus, for the substance of it. And so Baluzius[9] says, Burchardus has it out of the Roman Penitentiale, which is of a much later date: neither does the canon, as cited by Gratian, prove the thing in question, but only describe the ceremony that was used toward penitents in the beginning of Lent, whether they were then first admitted to penance, or had been admitted before: which very thing supposes, that penance might be imposed at other times, as well as the first day of Lent, as the old gloss upon Gratian rightly observes. The ceremony, as it is described by Gratian, seems only to be an account of the discipline used towards penitents in Lent, different from their treatment at other seasons of the year. For in *capite quadragesimæ*, on Ash Wednesday, or the first day of Lent, all penitents, who either then were admitted to penance, or had been admitted before, were presented to the bishop before the doors of the church, clothed in sackcloth, bare-footed, and with countenances dejected to the earth, confessing themselves guilty both by their habit and their looks. They were to be attended by the deans or arch-presbyters of the parishes, and the penitential presbyters, whose office was to inspect their conversation, and enjoin them penance according to the measure of their faults by the degrees of pe-

[1] Conc. Agathen. can. 15. Pœnitentes tempore quo pœnitentiam petunt, impositionem manuum et cilicium super caput a sacerdote consequantur.

[2] Euseb. lib. 5. cap. 28. See Conc. Tolet. 3. can. 12.

[3] Ambros. ad Virg. lapsam, cap. 8. Totum corpus incuria maceretur, cinere aspersum et opertum cilicio. Vid. Cypr. de Lapsis, p. 135.

[4] Tertul. de Pœnit. cap. 9. De ipso quoque habitu atque victu mandat, sacco et cineri incubare, corpus sordibus obscurare.

[5] Hieron. Ep. 30. Epitaph. Fabiolæ. Quis hoc crederet, ut saccum indueret, ut errorem publice fateretur, et tota urbe spectante Romana, ante diem Paschæ, in basilica Laterani——staret in ordine pœnitentium?

[6] Conc. Tolet. 1. can. 2. Qui sub cilicio divino reconciliatus est altario.

[7] Bellarm. de Pœnitent. lib. 1. cap. 22.

[8] Grat. Dist. 50. cap. 64.

[9] Baluz. Not. ad Gratian. p. 464.

nance that were appointed. After this they bring them into the church, and then the bishop with all the clergy, falling prostrate on the ground, sing the seven penitential psalms with tears for their absolution. After this the bishop, rising from prayer, gives them imposition of hands, sprinkles them with holy water, puts ashes upon their heads, and then covers their heads with sackcloth, declaring with sighs and groans, that as Adam was cast out of paradise, so they for their sins are cast out of the church: then he commands the inferior ministers to expel them out of the doors of the church; and the clergy follow them, using this responsory, "In the sweat of thy face shalt thou eat thy bread: for dust thou art, and unto dust thou shalt return." In the end of Lent, on the Thursday before Easter, called *cœna Domini*, the deans and presbyters are to present them before the gates of the church again. Thus far Gratian's account, which is manifestly not a determining the time of imposing penance to be the first day of Lent, but a description of the manner of treating all penitents in Lent, whatever time their penance was imposed upon them. And as there are some things in it conformable to the ancient discipline, so there are many things in it that plainly discover it to have relation to a more modern practice. For there was no use of holy water in the ancient discipline; nor seven penitential psalms in the ancient service, but only one penitential psalm, that is, the fifty-first, commonly distinguished by the name of *psalmus exomologeseos*, the penitential psalm, or psalm of confession. Neither was Ash Wednesday anciently the first day of Lent, till Gregory the Great first added it to Lent, to make the number of fasting days completely forty, which before were but thirty-six. Neither does it appear, that anciently the time of imposing penance was confined to the beginning of Lent, but penance was granted at all times, whenever the bishop thought the sinner qualified for it: as St. Ambrose admitted Theodosius to penance at Christmas; and there are many examples of the like nature. The circumstance, therefore, of time must be passed over as unlimited and uncertain. Only whenever penance was imposed, the sinner was obliged to change his habit, and appear in a mournful dress, agreeable to a state of repentance: which is all that can be concluded from any of the ancient canons, which speak of the circumstances of repentance.

Sect. 3. And to cut off their hair, or go veiled, as another token of sorrow and mourning.

At the same time that they changed their habit, some canons obliged penitents to cut off their hair, or shave their heads, if they were men, as another indication of sorrow and mourning. And women were enjoined to wear a penitential veil, and either to cut off their hair, or appear with it dishevelled, and hanging loose about their shoulders; which was another token of deep sorrow and affliction. The council of Agde[10] made a peremptory order, That if any who desired to be admitted to penance refused to cut off their hair they should be rejected. And the third council of Toledo[11] has a like order, That when any one desires penance of the bishop, he shall first poll him, and make him change his habit for sackcloth and ashes, and so admit him to do penance. Optatus alludes to this custom, when speaking of the rudeness of the Donatists in bringing some catholic bishops to do penance,[12] that, contrary to all rules, they had shaved the heads of the priests: they who ought to prepare ears to hear their instructions, had prepared razors to sin against them; that is, they had made them do public penance in order to retain their clerical office, which ought not to be done: for if a clergyman was to do public penance, he ought first to be degraded for his offence, and do penance only as a layman. As to women, the custom was to put them on a penitential veil, which is expressly required by the third council of Toledo,[13] appointing, That no woman should be admitted to do penance, except she was first veiled, and had changed her habit. Whence Optatus calls such veils, the veils of repentance; objecting[14] it to the Donatists, that they had forced the catholic virgins, who were innocent, to submit to their imposition of hands, and wear upon their heads the veils of repentance. St. Ambrose seems to intimate, that they also had their heads sometimes shorn or shaven. For writing to a virgin who had committed fornication, he bids her cut off[15] her hair, which through vain-glory had given her occasion to sin. But this was no general custom; for St. Jerom,[16] describing the penance of Fabiola, says, she did it *sparso crine*, with her hair dishevelled, the bishop and presbyters and all the people weeping with her. Whence we may observe also, with

[10] Conc. Agathen. can. 15. Si autem comas non deposuerint, aut vestimenta non mutaverint, abjiciantur.

[11] Conc. Tolet. 3. can. 12. Quicunque ab episcopo pœnitentiam postulat, prius eum tondeat, aut in cinere et cilicio habitum mutare faciat, et sic pœnitentiam ei tradat. Si vero mulier fuerit, non accipiat pœnitentiam, nisi prius aut velata fuerit, aut mutaverit habitum.

[12] Optat. lib. 2. p. 58. Ubi vobis mandatum est radere capita sacerdotum?——Qui parare debebas aures ad audiendum, parâsti novaculam ad delinquendum. Vid. Cypr. de Lapsis, p. 135.

[13] Conc. Tolet. 3. can. 12. Si mulier fuerit, non accipiat pœnitentiam, nisi prius aut velata fuerit, aut mutaverit habitum.

[14] Optat. lib. 2. p. 59. Extendistis manum, et super omne caput mortifera velamina prætendistis. Et p. 61. Cum super earum capita velamina pœnitentiæ tenditis.

[15] Ambros. ad Virg. lapsam, cap. 8. Amputentur crines, qui per vanam gloriam occasionem luxuriæ præstiterunt.

[16] Hieron. Ep. 30. Ut staret in ordine pœnitentium, episcopo, presbyteris, et omni populo collacrymantibus, sparso crine, ora lurida, et squalidas manus, sordida colla submitteret.

what seriousness, gravity, and concern this whole matter was transacted. For not only the party under penance took shame to himself, and by these ceremonies expressed his sorrow with tears; but the whole church, with a compassionate fellow feeling, took share in his grief, suffering with a suffering member, and weeping and mourning together with him. After this manner Socrates[17] represents the practice of the Roman church in this exercise, telling us, that not only the penitents prostrated themselves upon the ground with lamentation and wailing, but that the bishop, meeting them in their proper station, fell to the earth likewise with tears, whilst all the congregation wept with them. Then the bishop rose up, and raised the penitents likewise, and made the usual prayers for them before the mystical service began, and so dismissed them from the church. This was a very solemn way of performing penance, that made a just impression upon the whole church, whilst every man was touched with a sense of his brethren's folly, and made their sins not matter of sport or ridicule, but an occasion of expressing his pity and compassion toward them, as members of the same body; weeping with those that wept, and joining his prayers and tears with theirs, to besiege heaven with united force, and obtain of God mercy and pardon for them.

Sect. 4. Penitents to abstain from bathing, and other innocent diversions of life, as feasting, &c.

Socrates takes notice in the same place, that penitents were used to abstain from bathing and other innocent diversions of life. For he says, they exercised themselves willingly in private, ἢ νηστείαις, ἢ ἀλουσίαις, ἢ ἐδεσμάτων ἀποχῇ, with fastings, and neglect of bathing, and abstinence from meats, as long as the bishop thought fit to enjoin them. Which is also intimated by Pacian, when he brings in the penitent[18] declaring, that if any one called him to the bath, he refused such delights; if any one called him to a feast, his answer was, Those things belong to the happy; but as for me, I have sinned against the Lord, and am in danger of eternal destruction.

Sect. 5. To observe all the public fasts of the church.

And as they thus exercised themselves in private abstinence, mortification, and fasting; so they were more especially obliged to observe all the public fasts of the church. There might be some reasons to excuse others, and dispense with the rigour and severity of this exercise in some cases and circumstances, requiring a little abatement in the laws of fasting: but penitents were tied up to the strictest observance of them. And therefore the fourth council of Carthage[19] made a decree, That penitents should present themselves at church on all times of fasting, and receive imposition of hands from the priests.

Sect. 6. To restrain themselves in the use of the conjugal state.

Some directions are also given, at least by private writers, that penitents should abstain from the use of the marriage-bed, during their continuance in the state of public penance. This is a rule laid down by St. Jerom,[20] That in the time of fasting, the bridegroom and the bride should sequester themselves from one another. For he that says, he does penance by abstinence from meat, and fasting, and alms, in vain uses this speech, except he go out of his chamber, and make his fast holy and pure by adding continence to his repentance. And so St. Ambrose reckons this a necessary part of self-denial upon such an occasion. Does any one[21] think that to be repentance, where a man is engaged in an ambitious pursuit of honour, and indulges himself in the use of wine and the marriage-bed? Men must renounce the world, abridge themselves of sleep which nature requires, entreat the favour of God with sighing and mourning and earnest prayers, and live so as to die to the use of this life, and deny themselves, and become wholly new men.

Sect. 7. For which reason no married persons were admitted to penance, but by consent of both parties.

I cannot be positive, and therefore will not venture to affirm it absolutely, that this was imposed by any public rule of the church, because I remember no canon at present that precisely enjoins it. The only thing that may incline a man to think there was such a rule, is, that there is another rule of near relation to it, and which seems to be grounded upon the presumption of such a practice; that is an order we find in the second council of Arles,[22] That penance should not be granted to any married people, man or woman, without the desire and consent of both parties: this seems to be grounded upon a supposition, that penitents were under obligation to contain during the time of their penance; and if the innocent party would not consent, no force or compulsion could be laid upon them. For the laws of matrimony are prior to any

[17] Sozom. lib. 7. cap. 16.

[18] Pacian. Parænesis ad Pœnitent. Bibl. Patr. t. 3. p. 73. Si quis ad balneum vocet, recusare delicias; si quis ad convivium vocet, dicere, Ista felicibus! ego deliqui in Dominum, et periclitor in æternum perire. Vid. Tertul. de Pœnitent. cap. 9. Plerumque vero jejuniis preces alere, &c. Cypr. de Lapsis, p. 135.

[19] Conc. Carth. 4. can. 80. Omni tempore jejunii manus pœnitentibus a sacerdotibus imponatur.

[20] Hieron. in Joel. cap. 2. In tempore jejunii non serviat sponsus et sponsa operi nuptiali.—Qui in castigatione victus, et jejunio, et eleemosynis dicit se agere pœnitentiam, frustra hoc sermone promittit, nisi egrediatur de cubili suo, et sanctum purumque jejunium pudica expleat pœnitentia.

[21] Ambros. de Pœnitent. lib. 2. cap. 10. An quisquam illam pœnitentiam putat, ubi acquirendæ ambitio dignitatis, ubi vini effusio, ubi ipsius copulæ conjugalis usus? Renunciandum seculo est, somno ipsi minus indulgendum—seipsum sibi homo abneget, &c.

[22] Conc. Arelat. 2. can. 22. Pœnitentiam conjugatis non nisi ex consensu dandam.

rules that could be made about the exercise of public discipline by the church.

Sect. 8. Penitents not allowed to marry in the time of their penance.

It is another rule of the same council, proceeding upon the like reason and supposition of perfect continency in public penitents, that no penitent, man or woman, should have liberty to marry, whilst they were doing penance:[23] and if they did, they should be rejected, and debarred even from entering under the roof of the church. Or if they held any suspicious conversation, or unlawful familiarity with strangers in this state, they were liable to the same censure. For all this was thought improper in their circumstances, and inconsistent with the profession of a solemn and deep repentance.

Sect. 9. Penitents obliged to pray kneeling on all festivals and days of relaxation.

And whereas all others might pray standing on all festivals, on the Lord's day, and the commemorations of martyrs, and the whole fifty days between Easter and Pentecost; which were called days of relaxation, and the standing posture was appointed to be used on them by the laws of the church; penitents are particularly excepted from this privilege, and obliged to pray kneeling at these times as well as any other. For this posture was most agreeable to their state, whose devotions consisted only in the expression of a deep humility and sorrow for sin, for which kneeling was thought the most decent posture. Therefore, as others were obliged to pray kneeling on their stationary days, and days of fasting, because those were times of more solemn humiliation; so the penitents were obliged[24] to kneel every day, even on the days of remission, because every day was a day of humiliation to them, and their business in the church was only to sue for mercy, and to prostrate themselves to receive the solemn imposition of hands and benediction.

Sect. 10. Penitents obliged to show their liberality to the poor.

And because mercy and liberality to the poor was a great argument and evidence of repentance, this was always in an eminent degree exacted of them. Cyprian[25] puts this among the other indications of repentance. "Can we think," says he, "that that man laments with his whole heart, and deprecates the Lord with fasting, weeping, and mourning, who, from the very moment of his sinning, daily frequents the baths, who feeds himself with luxurious feasting, and fills his belly to an extraordinary pitch, only to belch forth his crudities the day after; who imparts not his meat and drink to the necessities of the poor? How does he bewail his own death, who walks about with a merry and cheerful countenance; who trims his beard and attires his face? Does he think to please men, who displeases God? Does that woman lament and mourn, who is at leisure to put on her costly clothing, and never thinks of the garment of Christ, which she has lost?" In such a case he thinks charity to the poor would be a more becoming ornament, than all their silks and jewels and gold; therefore he advises them to put on the ornament of Christ, that they might not appear naked before him.

Sect. 11. Penitents obliged to minister and serve the church in burying the dead.

Finally, in some churches the penitents were obliged to take upon them the office and care of burying the dead: and this by way of discipline, and exercise of humility and charity, which were so becoming their station. In many churches, especially those of greater note, this business devolved upon a certain order of men, called *parabolani*, whose office was particularly to attend the sick, and take care to bury the dead:[26] but probably there was no such standing office in many churches, and therefore this employment was put upon the penitents, as a proper exercise for men in their condition. It is certain it was so in the African churches; for the fourth council of Carthage[27] gives a particular direction in the case, That the penitents should bear out the dead to the church, and take care of their burial. These were some of those wholesome and salutary exercises, with which the ancient church disciplined her penitents, especially those of the third order, who were more emphatically called penitents, as being in the state of prostrators, which was the most noted order of penitents in the church. But there is one eminent act of penance, belonging to this order, yet behind; that is, the *exomologesis*, or confession: which, because it has been turned into a new thing by the church of Rome, and occasioned some great disputes, I have purposely reserved for a distinct handling, and shall make it the subject of a particular dissertation in the following chapter.

CHAPTER III.

A PARTICULAR ACCOUNT OF THE EXOMOLOGESIS, OR CONFESSION USED IN THE DISCIPLINE OF THE ANCIENT CHURCH; SHOWING IT TO BE A DIFFERENT THING FROM THE PRIVATE OR AURICULAR CONFESSION INTRODUCED BY THE CHURCH OF ROME.

Sect. 1. The gross mistake of those who make

THERE is nothing more common among the polemical writers of the

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[23] Conc. Arelat. 2. can. 21. Pœnitentes, quæ, defuncto viro, aliis nubere præsumpserint, vel suspecta vel interdicta familiaritate se cum extraneo junxerint, cum eodem ab ecclesiæ liminibus arceantur. Hoc etiam de viro in pœnitentia posito placuit observari.

[24] Conc. Carth. 4. can. 82. Pœnitentes etiam diebus remissionis genua flectent.

[25] Cypr. de Lapsis, p. 135.

[26] Book III. chap. 9.

[27] Conc. Carth. 4. can. 81. Mortuos pœnitentes ecclesiæ afferant et sepeliant.

the exomologesis of the ancient church to signify auricular confession.

Romish church, than wherever they meet with the word *exomologesis* in any of the ancient writers, to interpret it private or auricular confession, such as is now practised in the communion of that church, and imposed upon men as absolutely necessary to salvation. But they who with greater judgment and ingenuity among themselves have more narrowly considered the matter, make no scruple to confess, that the *exomologesis* of the ancients signifies a quite different thing, viz. the whole exercise of public penance, of which public confession was a noted part. The learned Albaspinæus very strenuously sets himself to refute this error in the writers of his own party. Cardinal Bellarmine, says he,[1] and Baronius, and Maldonat in his controversies, and Pamelius in his commentaries upon Tertullian and Cyprian, lay it down as a certain truth, that the fathers generally take the word *exomologesis* for private and auricular confession: but having long and accurately considered all the places where it is mentioned, I cannot come in to their opinion. The fathers, adds he, always use this word, when they would describe the external rites of penance, viz. weeping, and mourning, and self-accusation, and other the like things, which penitents usually practised in the course of public penance. For no one can be ignorant, that in those first ages penitents performed a long and laborious penance, wherein they mortified themselves with continual weeping, and stood before the gates of the church to give public testimony of their sorrow for the sin they had committed: moreover that they cast themselves on the ground at the bishop's feet, and fell down at the knees of the martyrs, and besought all the rest of the faithful, that they would become intercessors to God for them, being clothed in sackcloth, and covered with filthiness and horror; and that when they had gone thus far in their penance the bishop was used to bring them from the doors into the church, and set them before the presbyters, the deacons, the widows, and all the people; where again they were used to prostrate themselves on the ground, detesting their sins, and commending themselves to the prayers of all, and solemnly protesting that they would never relapse or return to their former condition again. And upon this account, says he, we often find this last rite called *exomologesis* by the fathers, because it contained many acts in it expressing sorrow for the crimes they had committed, in like manner as the whole action and tenor of a penitent's life, whilst he is doing penance, is sometimes called *exomologesis* by the fathers. This he proves and confirms from many irrefragable testimonies out of Tertullian, Cyprian, and other ancient writers, which I shall not here relate, but only allege one passage of Tertullian, which comes home to the present purpose. The *exomologesis*, says he,[2] is the discipline of a man's prostrating and humbling himself, enjoining him a conversation that moves God to mercy and compassion. It obliges a man to change his habit and his diet, to lie in sackcloth and ashes, to defile his body by a neglect of dress and ornament, to afflict his soul with sorrow, and to change his former sinful conversation by a quite contrary practice; to use meat and drink, not to please his appetite, but only for preservation of life; to quicken his prayers and devotions by frequent fastings; to groan and weep, and cry unto the Lord God both day and night; to prostrate himself before the presbyters of the church, to kneel before the friends of God, and beg of all the brethren that they would become intercessors for his pardon: all this the *exomologesis* requires to recommend a true repentance; here is not a syllable of private or auricular confession, but all relates to the public confession before the church; and that not so much in words as in actions, expressing their repentance in public demonstrations of their sorrow, and the uniform tenor of a penitent behaviour; which was of far greater moment to signify and evidence their conversion, than the most pathetical words of any mere verbal or private confession.

Sect. 2. No necessity of auricular confession ever urged by the ancient church.

And this is one argument to prove that the doctrine of the necessity of auricular confession was wholly unknown to the ancient church. For when public discipline was in general use, and all men were disposed to submit to it, there could be little occasion for private confession, the reason and ground of which was much better answered by the public. But besides this, there is most plain and direct evidence from the testimonies of the ancients, that no necessity was laid upon any man to make private confession of all or any of his secret sins to a priest, as a matter of indispensable obligation, either to qualify him for the reception of the eucharist, or to give him a title to the communion of the church and eternal life. I have already showed this, with a particular respect to the reception of the eucharist, out of some very plain passages of Chrysostom, Gennadius, Laurentius Novariensis,[3] and other ancient writers; to which I shall here add such other testimonies, as evidently show they required no private confession to be made to man, except in some very particular cases. St. Chrysostom,[4] exhorting men to repentance, says, "I bid thee not to bring thyself upon the stage, nor to ac-

[1] Albaspin. Observat. lib. 2. cap. 26. p. 153.

[2] Tertul. de Pœnitent. cap. 9. Exomologesis prosternendi et humilificandi hominis disciplina est, conversationem injungens misericordiæ illicem. De ipso quoque habitu et victu mandat, sacco et cineri incubare, corpus sordibus obscurare, animum mœroribus dejicere, &c.

[3] Book XV. chap. 8. sect. 6.

[4] Chrys. Hom. 31. in Hebr. p. 1956.

cuse thyself unto others; but I advise thee to observe the prophet's direction, reveal thy way unto the Lord, confess thy sins before God, confess them before the Judge; praying, if not with thy tongue, yet at least with thy memory; and so look to obtain mercy. It is better to be tormented with the memory of thy sins now, than with the torment that shall be hereafter. If you remember them now, and continually offer them to God, and pray for them, you shall quickly blot them out: but if you forget them now, you will then remember them against your will, when they shall be brought forth before the whole world, and be publicly exposed upon the stage before all, friends, enemies, and angels." In another place,[5] "It is not necessary that thou shouldest confess in the presence of witnesses; let the inquiry after thy sins be made in thy own thoughts; let this judgment be without any witness; let God only see thee confessing." Again,[6] "I beseech you, make your confession continually to God. For I do not bring thee into the theatre of thy fellow servants, neither do I constrain thee by any necessity to discover thy sins unto men; unfold thy conscience before God, and show him thy wounds, and ask the cure of him. Show them to him, who will not reproach thee, but only heal thee. For although thou confess not, he knows all. Confess, therefore, that thou mayest be a gainer. Confess, that thou mayest put off thy sins in this world, and go pure into the next, and avoid that intolerable publication that will otherwise be made hereafter. Why art thou ashamed and blushest," says he, in another place,[7] "to confess thy sins? Dost thou discover them to a man, that he should reproach thee? Dost thou confess them to thy fellow servant, that he should bring thee upon the open stage? Thou only showest thy wound to him, who is thy Lord, thy Curator, thy Physician, and thy Friend. And he says to thee, I do not compel thee to go into the public theatre, and take many witnesses. Confess thy sin in private to me alone, that I may heal thy wound, and deliver thee from thy grief." There are almost twenty passages[8] in the same author, very full and pregnant to the same purpose, which the learned reader may consult in their proper places, or view them at once collected together by Mr. Daillé in his excellent book[9] of auricular confession, where he not only vindicates these passages of Chrysostom from the sophistical glosses and evasions of the Romanists, but also has unanswerably proved, by no less than thirty arguments, and a cloud of other ancient witnesses, that there could be no such thing as private, auricular, sacramental confession enjoined, as of necessity to pardon of sin, in the primitive church. Chrysostom is not the only person that maintains this assertion. St. Basil says the same thing before him: "I do not make confession with my lips,[10] to appear to the world; but inwardly in my heart, where no eye sees; I declare my groanings unto thee alone, who seest in secret, I roar within myself: for I need not many words to make confession; the groanings of my heart are sufficient for confession, and the lamentations which are sent up to thee, my God, from the bottom of my soul." In like manner St. Hilary[11] makes confession necessary to be made to God only: for, commenting on the fifty-second Psalm, he tells us David teaches us that confession is necessary to be made to none but God, who hath made the olive fruitful with the hope of mercy for ever and ever. And St. Ambrose as plainly says,[12] that tears poured out before God are sufficient to obtain pardon of sin, without confession made to man. His words are, "Tears wash away sin, which men are ashamed to confess with their voice. Weeping provides at once both for pardon and bashfulness: tears speak our faults without horror; tears confess our crimes without any offence to modesty or shamefacedness." So again,[13] speaking of St. Peter's tears, he says, "I find not what Peter said, but I find that he wept: I read of his tears, but I read not of his satisfaction;" meaning, that verbal confession was not simply necessary to obtain pardon. And in this sense St. Austin, expounding those words of the psalmist, "I said I will" pronounce or "declare my own wickedness against myself unto the Lord, and so thou forgavest the iniquity of my heart," says, He had not yet pronounced it,[14] but only promised that he would pronounce it, and yet God forgave him. He had not yet pronounced it, but only in his heart; his confession was not yet come to his mouth, yet God heard the voice of his heart: his voice was not yet in his mouth, but the ear of God was in his heart: which implies,

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[5] Chrys. Hom. de Pœnitent. t. 5. Edit. Latin.

[6] Hom. 30. sive 5. de incomprehensibili Dei Natura, t. 1. p. 392.

[7] Hom. 4. de Lazaro, t. 5. p. 87.

[8] Hom. 57. Quod peccata non sint evulganda, t. 5. p. 754. Hom. 58. Non esse ad gratiam concionandum, t. 5. p. 772. Hom. 68. de Pœnitentia Ahab, t. 5. p. 1003. Hom. 21. ad Pop. Antioch. t. 1. p. 270. Hom. 8. de Pœnitent. t. 1. p. 700. Hom. 9. de Pœnitent. ibid. p. 708. Hom. 72. de Paralytico, t. 5. p. 927. Hom. 20. in Gen. t. 2. p. 222. Hom. 2. in Psal. l. t. 3. p. 1004 et 1005. Hom. 20. in Matt. p. 200. Hom. 28. in 1 Cor. p. 569.

[9] Daill. de Confess. Auricular. lib. 4. cap. 25.

[10] Basil. in Psal. xxxvii. 8.

[11] Hilar. in Psal. li. p. 208. Nulli alii docens confitendum, quam qui fecit olivam fructiferam spe misericordiæ in seculum seculi.

[12] Ambros. lib. 10. in Luc. xxii. Lavant lacrymæ delictum, quod pudor est voce confiteri. Et veniæ fletus consulunt et verecundiæ, &c.

[13] Ibid. p. 157. Non invenio quid dixerit Petrus; invenio quod fleverit. Lacrymas ejus lego; satisfactionem ejus non lego.

[14] Aug. Ser. 2. in Psal. xxxi

that God accepts and pardons the penitent and contrite heart, even before any formal declaration is made by vocal confession either to God or man. In another place[15] he speaks of confession as no ways necessary to be made to man. What have I to do with men, that they should hear my confessions, as though they could heal all my diseases? He also frequently tells us,[16] with all the rest of the ancients writers, that a great many of those which the Romanists now call mortal sins, were daily pardoned upon no other confession but the fervent and devout use of that of the Lord's prayer, "Forgive us our trespasses, as we forgive them that trespass against us." Which evidently shows, that he did not believe auricular confession necessary for expiating all manner of mortal sins. Maximus Taurinensis[17] delivers his opinion almost in the same words as St. Ambrose does: "Tears wash away sin, which the voice is ashamed to confess. Therefore tears provide at once both for men's modesty and salvation; they neither make men blush in their petitions, nor disappoint them of pardon in asking." He adds, that "tears are a sort of silent prayers; they ask not pardon in words, and yet deserve it (that is, in his style, procure it); they declare not the cause, and yet obtain mercy. Nay, the prayers of tears are many times of more advantage than those of words, because words often prove deceitful in prayer, but tears never deceive. For words sometimes declare but half the business; but tears always express the whole affection." Prosper, who was St. Austin's scholar, follows his doctrine; for, speaking of private sins committed by the clergy, he says, "They shall more easily appease God,[18] who, being not convict by human judgment, do of their own accord acknowledge their offence; who either do discover it by their own confessions, or else, others not knowing what they are in secret, do voluntarily inflict the sentence of excommunication upon themselves; and being separated (not in mind but in office) from the altar to which they did minister, do lament their life as dead; assuring themselves, that God being reconciled unto them by the fruits of effectual repentance, they shall not only receive what they have lost, but also, being made citizens of that city which is above, they shall come to everlasting joys." Cassian also assures us, that this was the doctrine of the Egyptian fathers. For he says, Pinuphius, the Egyptian abbot, gave this advice to the monks that were under him: "Who is it that cannot humbly say, 'I made my sin known unto thee, and my iniquity have I not hid;' that by this confession he may confidently adjoin that which follows, 'and so thou forgavest the impiety of my heart.' But if shamefacedness[19] so draw thee back, that thou blushest to reveal them before men; cease not by continual supplication to confess them unto Him from whom they cannot be hid, and to say, 'I know my iniquity, and my sin is against me alway:' to thee only have I sinned, and done evil before thee, whose custom is both to cure without publishing our shame, and to pardon sins without accusing or upbraiding." These are plain testimonies, evidently showing that the ancients did not believe the necessity of auricular confession, or urge it as a thing absolutely necessary to absolution and salvation.

Sect. 3. This proved further from the practice of the ancients, in denying all manner of absolution to some relapsing sinners, without excluding them from the mercy and pardon of God upon confession to him alone.

But besides this, the practice of the ancients in one particular case does most irrefragably show, that they did not believe the necessity of auricular confession. For they allowed no second public penance to many relapsing sinners, nor ever gave them any manner of sacerdotal absolution to their lives' end; which shall be evidently demonstrated in the next chapter. Now, the plain consequence of this is, that no penitential confession, either public or private, was taken from such, as made to man, in order to obtain sacerdotal absolution; yet still they exhorted them to repent in private, and make private confession of their sins to God, in hopes of obtaining mercy and pardon from him at the great day of retribution. It is confessed on all hands, that such relapsers never had the privilege to make their public confession in the church, in order to obtain public absolution; and it is as certain they were not admitted to compound by any private sacerdotal confession, to obtain private sacerdotal absolution. For though Cardinal Perron had a strong fancy to solve the difficulty of this argument by feigning a sort of private confession for them when they were denied the public; yet Petavius[20] himself refutes this pretence as a mere dream, without any foundation in ancient history, and gives a solid reason to the contrary. For, as he argues, if private confession had been allowed to such relapsers, their condition had been happier,

[15] Aug. Confess. lib. 10. cap. 3. Quid mihi ergo est cum hominibus, ut audiant confessiones meas, quasi ipsi sanaturi sint omnes languores meos?

[16] See this fully proved, Book XVI. chap. 3. sect. 14.

[17] Max. Taurin. Hom. 3. de Pœnit. Petri. Lavat lacryma delictum, quod voce pudor est confiteri. Lacrymæ ergo verecundiæ consulunt pariter et saluti; nec erubescunt in petendo, et impetrant in rogando.——Lacrymæ tacitæ quodammodo preces sunt; veniam non postulant, et merentur; causam non dicunt, et misericordiam consequuntur; nisi quod utiliores lacrymarum preces sunt, quam sermonum; quia sermo in precando forte fallit, lacryma omnino non fallit. Sermo enim interdum non totum profert negotium; lacryma semper totum prodit affectum.

[18] Prosper. de Vita Contemplat. lib. 2. cap. 7. Deum facilius placabunt, qui non humano convicti judicio, &c.

[19] Cassian. Collat. 20. cap. 8. Quod si verecundia retrahente, revelare ea coram hominibus erubescis, illi quem latere non possunt, confiteri ea jugi supplicatione non desinas, &c.

[20] Petav. Not. in Epiphan. p. 238.

and their penance easier, than those who fell but once; which is a thing that will hardly enter into any man's imagination, that considers things with any manner of judgment and reason. Supposing then the truth of this fact, that the ancients allowed such relapsers neither the benefit of public nor private absolution upon any confession whatsoever; it evidently follows that they did not believe any absolute necessity of auricular confession, since they encouraged such sinners, notwithstanding, to hope for mercy and pardon upon private repentance and confession made to God only. For the proof of which, one passage of St. Austin will be sufficient, where he speaks the general practice of the church, and the sense of all his brethren. The iniquity of men, says he, sometimes proceeds so far, that after they have done public penance, after they have been reconciled to the altar, they commit the same or greater sins; and yet God makes his sun to rise even upon such, and bestows upon them, no less than before, the greatest gifts of life and salvation. And though there be no place allowed[21] to such in the church, to perform that humble sort of penance again, yet God does not forget his patience toward them. But if any of these should say to us, Either grant me the same place of repentance again, or else suffer me to go on desperately, to live as I list, to do whatever my riches will enable me to do, and no human laws will forbid me, to live in whoredom and all manner of luxury, which, though damnable before the Lord, is even laudable in the eyes of many men: or if ye recall me from this wickedness, tell me whether it will profit me any thing towards eternal life, if in this life I contemn the blandishments of enticing pleasure, if I bridle the excitements of lust, if for the chastisement of my body I deny myself many things that are lawful and allowed, if I torment myself more vehemently in repentance than I did before, if I groan more miserably and weep more abundantly, if I live better, if I more liberally sustain the poor, if I more ardently flame in charity which covers a multitude of sins: which of us is so foolish as to say to this man, All this will profit thee nothing hereafter, go and enjoy the pleasures of this life? God forbid we should be guilty of so monstrous and sacrilegious madness. Therefore, though it be a cautious and salutary rule and provision in the ecclesiastical law, that this place of the humblest penance shall not be granted above once in the church, lest by making the medicine too vile and cheap, it should become less useful to those that are sick, being so much the more beneficial by how much it is less contemptible; yet who dares to say to God, Why dost thou spare this man, who, after his first penance, binds himself again in the bonds of iniquity? Who dares say, that God deals not with them according to that saying of the apostle, "Knowest thou not that the long-suffering of God leadeth thee to repentance?" or that they are excepted from that general declaration, "Blessed are all they that put their trust in him?" or that it belongs not to them, when it is said, "Be strong, and establish your heart, all ye that put your trust in the Lord?" If St. Austin here rightly represents the practice of the church, in this one case, there was no use made either of public or private confession to men, to obtain the remission of the greatest sins; but men were directed to another method, to seek pardon from God by the exercise of a private repentance. Consequently there could be no absolute necessity of auricular confession, which in this case had been most likely to have been prescribed in want of the other, had any such necessity been taught or laid upon it, as is now by the imperious and dictating authority of the church of Rome.

Sect. 4. And from several other considerations of the like nature.

The learned Mr. Daillé has urged many other considerations of great weight, which I cannot here insist upon, but only mention the heads of them for the sake of the unlearned readers, or such of the learned as have not that excellent and elaborate work of his by them. 1. He argues from the practice[22] of all other churches in the world beside the Roman: The doctrine of the necessity of auricular confession, is taught by no other denomination of Christians, not the Ethiopians, nor the Indians of St. Thomas, nor the Babylonians or Chaldæans, nor the Armenians, nor the Jacobites, nor the Greeks, in the manner of the Romans. 2. He shows, that whereas the priests in the Roman church are nicely instructed in the business of auricular confession, and teach and minister it daily to the people, as the noblest act of their office; there is nothing of all this to be found in the genuine writings of the ancient Christians. 3. Whereas auricular confession is continually mentioned by the Roman writers among the religious acts of all sorts of men, clergy, monks, laity, princes, private men, noblemen, plebeians, men, women, &c., there is nothing of this among the ancient Christians. 4. In the ancient church, Christians were bound by no law, as now they are in the Roman, to confess their sins to a priest before they came to the Lord's table to receive the eucharist. Which he demonstrates by eight reasons, and the testimony of Chrysostom, Pelagius, Austin, Dorotheus, the council of Chalon, and Hincmar. 5. In the Roman church, it is usual for every one to make his auricular confession at the point of death; of which there are no footsteps among the ancients. 6. The Romish writers are very full of auricular confession in

[21] Aug. Ep. 54. ad Macedon. p. 92. Quamvis eis in ecclesia locus humillimæ pœnitentiæ non concedatur, Deus tamen super eos suæ patientiæ non obliviscitur, &c.

[22] Daill. de Confess. Auricular. lib. 4. cap. 1. &c.

describing any of the sicknesses, or calamities, or wars, or shipwrecks, or journeys, or other hazardous undertakings of their people: but there was no such practice among the ancients. 7. The ancients, in describing the persecutions of the church, or the conflicts, and trials, and last agonies of their confessors and martyrs, never mention auricular confession, which yet abounds every where in the Romish writers, when they make any such relations of the lives or deaths of their martyrs. 8. The ancients had no solemn times appointed for auricular confession, as Easter, Christmas, Lent, the greater festivals, and the Friday and Saturday fasts, which are now every where spoken of in the Romish writers, as solemn times of confession. 9. The ancients say nothing of miracles done in or by confession, which the Romanists continually boast of. 10. The ancient pagans never objected auricular confession to the primitive Christians, as the modern pagans do to those of the Roman communion. 11. The ancient church knew nothing of heretics opposing auricular confession, because there was no such thing enjoined; but since it was appointed by the council of Lateran, anno 1215, many have been condemned as heretics for opposing it. 12. The primitive bishops often declare, that they were ignorant of the sins of their people; particularly this is said by Chrysostom, Austin, Innocent and Leo, bishops of Rome: which is an argument, that they were not revealed to them by sacramental confession. 13. The first man that instituted any private confession was St. Anthony, who appointed his monks to write down their thoughts, and communicate them one to another: but this was nothing to sacerdotal confession, for these monks were only laymen. 14. The ancient writers have none of those intricate questions and disputations about auricular confession, which so much stuff the books of the modern causuists in the church of Rome. 15. The fathers never interpret those passages of Scripture, which the Romanists produce for auricular confession, in their sense, but most of them to a contrary meaning. 16. The fathers, in those books which they wrote professedly of repentance, never urge auricular confession as a necessary part of repentance. 17. The fathers acknowledge only three sorts of repentance; the ante-baptismal, for all manner of sins; the quotidian or daily repentance, for lesser sins of daily incursion; and the public penance of lapsers, falling into more heinous sins: but auricular confession appertains to none of these. 18. Gregory Nyssen[23] says expressly, there were some sins, such as covetousness, which the fathers before him endeavoured to cure, not by any canonical punishments, but only by the public exhortations of the word and doctrine: which will not consist with the doctrine of auricular confession. 19. Nectarius wholly abrogated the office of the penitentiary priest; which argues, that there was no necessity of auricular confession: but of this office we must speak a little more particularly hereafter. 20. His next argument is drawn from those passages of Chrysostom, Hilary, Basil, Ambrose, Maximus Taurinensis, and St. Austin, (which have been already mentioned,) asserting, that remission of sins may be obtained of God by contrition only, without any oral confession. 21. The fathers allow salvation to be attainable even by those relapsers, who fell again into sin after their first public penance, though they had no liberty either to make confession or receive absolution. Which argument has been particularly explained already. His 22nd, 23rd, and 24th arguments are drawn from the testimonies of Cassian, and Julianus Pomerius or Prosper, and Laurentius Novariensis, which have been related before. 25. To these he adds two considerable testimonies of Bede. 26. And the concessions of Erasmus, Beatus Rhenanus, and Rigaltius, who freely own, that the Romish auricular confession was not in use in the primitive church. 27. He shows that there was a change made of the ancient discipline in the ninth age, when private penance enjoined by the priest began to be pretty frequent and common. 28. And yet this differed vastly in many particulars from the confession established afterwards in the council of Lateran; for still it was believed, that confession made to God only was sufficient to salvation. 29. In the following ages also Goffridus Vindocinensis, Peter Lombard, and Gratian[24] say there were many who still held that confession to God alone was sufficient, without confessing to the priest. And Gratian particularly, having cited the authorities on both sides of the question, leaves it to the judgment of the reader to take which opinion he pleases; because each opinion had wise and religious men to authorize and defend it. Which argues, that in Gratian's time the question about the necessity of auricular confession was not so determined as it was afterwards in the council of Lateran, and the council of Trent. This is also acknowledged by Aquinas, Bonaventure, and Antonine, who say that in the time of Gratian and Lombard the question about the necessity of such confession was only problematical, and what might safely be disputed both ways, and that it was no heresy to deny it: but after the determination of the church made under Innocent III. in the Lateran council, it was to be reputed heresy for any

[23] Nyssen. Ep. ad Letoium.

[24] Goffrid. lib. 5. Ep. 16. Lombard. Distinct. lib. 4. sect. 17. Gratian. de Pœnit. Dist. 2. cap. 89. Cui harum potius adhærendum sit, lectoris judicio reservatur. Utraque enim fautores habet sapientes et religiosos viros.

man to assert, that it was sufficient to confess a man's sins to God without making confession to a priest also. 30. Thus the doctrine of auricular confession was established in the thirteenth century, and not before: and even after that there wanted not witnesses, such as Wickliff, and Huss, and Semeca, and Michael of Bononia, and Petrus Oxoniensis, to bear testimony against its novelty, to the time of the Reformation. This is the short account of those thirty arguments, which the learned Mr. Daille uses to show the novelty of the Romish doctrine concerning auricular confession, which the curious reader who desires to see them more fully deduced and confirmed, may consult in our author's elaborate work for his further satisfaction.

Sect. 5. Yet private confession allowed and encouraged in some cases. As, 1. For lesser sins, men were advised to confess mutually to one another, to have their prayers and assistance.

But in all that is said by this or any other protestant writer, there is no intent to deny, that private confession was allowed and encouraged by the ancients in some cases and upon some special occasions. For first they advised all men, in case of lesser sins, to make confession mutually to one another, that they might have each other's prayers and assistance. This is the advice of St. James, v. 16, "Confess your faults one to another, and pray one for another, that ye may be healed. The effectual fervent prayer of a righteous man availeth much." Which though it be a place commonly produced by the Romanists for their auricular confession to a priest, yet it was anciently thought no more than a direction to Christians in general to confess their sins mutually one to another. Thus, it is certain, St. Austin understood it; for writing upon those words of our Saviour in St. John, "If I your Lord and Master have washed your feet, ye ought also to wash one another's feet;" he thus expounds them and the words of St. James together: "Can we say,[25] that one brother may cleanse another from the contagion of sin? Yes, we are taught to do it by the mystical meaning of this work of our Lord, that we should confess our sins one to another, and pray one for another, as Christ intercedes for us. Let us hear St. James the apostle evidently commanding this very thing, and saying, "Confess your faults one to another, and pray one for another," because in this our Lord hath set us an example. For if he, who neither has, nor ever had, nor ever will have any sin, prays for our sins; how much rather ought we to pray for the sins of one another! And if he forgive us, who has nothing to be forgiven by us; how much more ought we to forgive one another, who cannot live here without sin! Let us therefore forgive one another, and pray for each other's sins, that so we may in some measure wash one another's feet." In like manner Eradius, or St. Austin himself in another[26] place, says, "We are admonished throughout the whole Scripture to confess our sins continually and humbly, not only to God, but to holy men and those that fear God. For so the Holy Ghost teaches us by James the apostle, saying, "Confess your faults one to another, and pray one for another, that ye may be healed." Hincmar, a learned French bishop of the ninth age, gives the same interpretation: "Our light and daily sins, says he, according to the exhortation of St. James,[27] are daily to be confessed to those that are our equals: and such sins, we may believe, will be cleansed by their daily prayers, and our own acts of piety, if with a charitable mind we truly say in the Lord's prayer, 'Forgive us our trespasses, as we forgive them that trespass against us.'" And Maldonat[28] says this was the sense of all the ancients, alleging not only St. Austin, but Hesychius, and Gregory the Great, and Bede, and the author of the Interlineary Gloss. To which others[29] add Scotus, and Biel, and Dionysius Carthusianus, and Cajetan, and Gagnæus, and Godellus, a late bishop in the French church; however Bellarmine came to fix upon this passage of St. James, as a plain proof of auricular confession to a priest, which in the case mentioned, according to the opinion of so many ancients and moderns, directs to no other confession, but what may be made to any pious Christian.

Sect. 6. 2. In case of injuries done to private persons, men were obliged to confess, and ask pardon of the injured party.

2. In case of private injuries done to any private person, there was no question ever made, but that the offending party might make a private confession of his fault to the offended party, and give him private satisfaction. For so Christ had appointed, Matt. v. 23, "If thou bring thy gift to the altar, and there rememberest that thy brother hath ought against thee; leave there thy gift before the altar, and go thy way, first be reconciled to thy brother, and then come and offer thy gift." Upon which St. Austin[30] says, "A man may with an unfeigned heart endeavour to pacify and appease him, by asking him pardon, if he does this before God. Nay, it is his only remedy in this case, to ask pardon; which whoever does not, he is puffed up with the spirit of vain-glory."

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[25] Aug. Tract. 58. in Joan. t. 9. p. 164.

[26] Aug. Hom. 12. ex 50. t. 10. p. 161.

[27] Hincmar. Epist. ad Hildeboldum, t. 2. n. 40. p. 688. Quotidiana autem, leviaque peccata, secundum Jacobi apostoli hortamentum, alterutrum coæqualibus confitenda sunt, &c.

[28] Maldonat. Controver. t. 2. de Confessione, cap. 2. p. 36.

[29] Vid. Dall. de Confess. lib. 1. cap. 12.

[30] Aug. de Sermone Dom. in Monte, lib. 1. cap. 10. Poteris eum non stimulato animo lenire, atque in gratiam revocare, veniam postulando, si hoc prius coram Deo feceris ——— Quod est unum remedium, supplici animo veniam deprecetur: quod quisquis non fecerit inanis jactantiæ spiritu inflatur.

Sect. 7. 3. When they were under any troubles of conscience, they were advised to make private confession to a minister, to have his counsel and direction.

3. When men were under any perplexities of mind, or troubles of conscience, from the pressure and load of sin; that was another case in which they were always directed to have recourse to some wise and prudent pastor, to take his counsel and advice, and his assistance, and his prayers, as a sort of mediator and intercessor under Christ for them. The Romish writers are apt to allege many passages out of the ancients, which upon examination and strict inquiry amount to no more than this. Thus Clemens Romanus, or the author under his name, bids every one, into whose heart either envy or infidelity, or any such crime, has slily crept, not be ashamed (if he has any care of his soul) to confess his sin to the bishop or minister presiding over him,[31] that by the word of God and his saving counsel he may be healed. And so Maldonat owns,[32] this has no relation to sacramental confession. The same advice is given by Origen, Gregory Nyssen,[33] and St. Basil,[34] upon the like occasion, to confess their sins to the priest, who, by his compassion and skilfulness, was able to help their infirmities, and at once take care both of their credit and cure.

Sect. 8. 4. To take his advice also, whether it was proper to do public penance for private offences.

4. Origen gives another reason for confessing private sins to the priest, because he was best able to judge, whether it were proper for such sins to admit men to do public penance in the church, which in those days was no unusual practice. "Consider," says he,[35] "what the Holy Scripture teaches us, that we ought not to conceal our sin within our own breast. For, perhaps, as they who are inwardly oppressed with the humour or phlegm of indigested meat, which lies heavy upon the stomach, if they vomit it up, are relieved; so they who have sinned, if they hide and conceal their sin within themselves, are inwardly oppressed, and almost suffocated with the phlegm and humour of sin: but if any one become his own accuser, and confess his sin, in so doing he, as it were, vomits up his sin, and digests and removes the cause of his distemper. Only be circumspect in the choice of him to whom it will be fit to confess thy sin. Try first the physician to whom thou art to reveal the cause of thy distemper, and see that he be one who knows how to be weak with him that is weak, and to weep with him that weeps; one who understands the discipline of condoling and compassionating; that so, at length, if he shall say any thing, who hath first showed himself to be both a skilful and a merciful physician, and give thee any counsel, thou mayest observe and follow it. If he discerns and foresees thy distemper to be such, as will need to be declared and cured in the full assembly of the church, whereby others perhaps may be edified, and thou thyself healed, this is to be done with great deliberation, and the prudent advice of such a physician." It is very plain, that in this case this sort of private confession was made in order to take the minister's advice concerning doing public penance for any private sin; and that men had recourse to him in private, as to one who was best able to judge whether their sin were of such a nature as would require a public humiliation and repentance. For this, as I said before, was no unusual thing in those days, for men sometimes to desire to do public penance for private offences; yea, even for the very intention and design of some grosser sins, though they never proceeded so far as the outward action. Cyprian speaks of some such offenders, who reckoned themselves guilty of idolatry,[36] not because they had either actually sacrificed to idols, or procured any libel to signify their so doing, but only because they had designed in their hearts to do it: who, therefore, confessed their wicked intention to the priests, in order to do public penance for it, (though it was but a small sin in comparison,) as knowing that it was written, "God is not mocked." These private sins after secret confession were sometimes publicly declared and read out of a libel in the congregation: but all bishops[37] did not approve of this practice; and therefore, when Pope Leo understood that several bishops in the provinces of Campania, Samnium, and Picenum, took this method, he wrote a sharp letter to them, complaining of it as an unlawful usurpation and irregular practice, to put those who made secret confession to the priests, upon a public rehearsal of their crimes afterwards in the face of the congregation; which custom ought by all means to be abrogated and laid aside. For though it may seem a very laudable plenitude of faith, that for the fear of God makes men not afraid to take

[31] Clem. Ep. 1. ad Jacob. Non erubescat, qui animæ suæ curam gerit, hæc confiteri ei qui præest, ut ab ipso per verbum Dei et consilium salubre curetur.

[32] Maldonat. t. 2. de Confess. cap. 2. p. 40. t. 2.

[33] Nyssen. de Pœnitent. t. 3. p. 176.

[34] Basil. Regul. Brev. Resp. 229.

[35] Orig. Hom. 2. in Psal. xxxvii. t. 1. p. 471.

[36] Cypr. de Lapsis, p. 134. Quamvis nullo sacrificii aut libelli facinore constricti, quoniam tamen de hoc vel cogitaverunt, hoc ipsum apud sacerdotes Dei dolenter et simpliciter confitentes, exomologesin conscientiæ faciunt, animi sui pondus exponunt, salutarem medelam parvis licet et modicis vulneribus exquirunt; scientes scriptum esse, Deus non deridetur.

[37] Leo, Ep. 80. al. 78. ad Episc. Campan. Illam etiam contra apostolicam regulam præsumptionem, quam nuper agnovi a quibusdam illicita usurpatione committi, modis omnibus constituo submoveri; ne de singulorum peccatorum genere libellis scripta professio publice recitetur: cum reatus conscientiarum sufficiat solis sacerdotibus indicari confessione secreta, &c. Vid. Basil. can. 61 et 63. Paulin. Vit. Ambros. p. 10. Ambros. de Pœnit. lib. 1. c. 16. Gennad. de Dogm. Eccles. cap. 53.

shame before men; yet because all men's sins, which come under penance, are not such as they are not afraid to have made public, this unreasonable custom ought to be altered, lest many should be driven from the remedy of repentance, whilst either they are ashamed or afraid to have their actions laid open before their enemies, who perhaps might take occasion from thence to bring them into danger of the civil laws, and the penalties imposed by them upon such offences. Which last words of Leo suggest a further reason, why the ancients in some cases allowed of private confession, even when the penance itself in its exercise was to be public. For we may observe,

Sect. 9. 5. When there was any danger of death arising from the laws of the state against certain offences.

5. That when there was any apparent danger to men's lives, or otherwise, arising from the penalties of the civil laws, inflicting capital punishments on certain offences; in that case the church was content to take a private confession of sinners, and excuse them from a dangerous publication. It is of this case St. Austin speaks, when he says,[38] We ought to correct secret sins in secret, lest, if we publicly reprove them, we betray the man. We would reprove and correct him; but what if an enemy lies upon the catch, to hear something for which he may punish him? A bishop, put the case, perhaps knows a man to be a murderer, and besides himself no one else knows it: I would publicly rebuke the man, but then you would seek to take the law upon him. In this case I neither betray the man nor neglect him; I reprove him in secret; I set before his eyes the judgment of God; I terrify his bloody conscience, and persuade him to repentance. It happened also that sometimes persons confessed such secret sins, as, though they would not endanger their lives by a regular course of law, yet might provoke an injured party, if he knew them, in a sudden fit of zeal and passion to destroy them. In this case it was thought more proper to let the confession and penance be both in private, lest any such inconvenience might follow upon the publication. St. Basil[39] instances in the case of a woman that confesses herself guilty of adultery: the law allowed not the husband to kill her, except he took her in the very act; but it might happen, that in his zeal and fury he might be tempted even against law to kill her, if by any means he came to understand that she had been guilty of such a transgression: therefore, to avoid the occasion of any such temptation, it was ordered that no minister should δημοσιεύειν, publish the crime of women under penance of adultery upon their own confession, lest it should occasion their death; that is, expose them to the fury of their husbands, who might be inclined in the height of passion to exceed all bounds, and do what by law they could not answer.

Sect. 10. 6. Private confession required in case of private admonition for offences.

6. I remember but one case more in which any thing like private confession was required, and that was, when any man was rebuked for a crime by his spiritual guide, of which he was either notoriously guilty, or violently suspected: in that case it was his duty to give glory to God, and take shame to himself, by an ingenuous confession and acknowledgment of his fault, to answer the true end of private admonition. It is of this sort of confession St. Ambrose[40] speaks in the person of David, when he says, that being rebuked by a private man for his great offence, he did not fret and fume with indignation, but ingenuously confess his fault, and mourn with sorrow for it.

Sect. 11. The office of the penitentiary priest set up in many churches, to receive and regulate such private confessions.

All these sorts of private confession were anciently allowed of, as consistent with the standing and ordinary discipline of public confession and penance in the church. And the better to regulate them, and direct men what to do in such cases, there was a particular officer appointed in many churches, under the name of the penitentiary priest; whose office was not to receive private confessions in prejudice to the public discipline, much less to grant absolution privately upon bare confession before any penance was performed, which was a practice altogether unknown to the ancient church, as we shall see more hereafter: but it was to facilitate and promote the exercise of public discipline, by acquainting men what sins the laws of the church required to be expiated by public penance, and how they were to behave themselves in the performance of it; and only to appoint private penance for such private crimes as were not proper to be brought upon the public stage, either for fear of doing harm to the penitent himself, or giving scandal to the church.

Sect. 12. This office afterwards abrogated, and men were entirely left to their liberty, as to what concerned private confession.

The whole history of the first original and institution of this office in the time of the Decian persecution, and the abrogation of it by Nectarius, bishop of Constantinople, in the time of Theodosius, is entirely owing to the relation of Socrates and Sozomen, two historians, who lived in the same age that the office was abolished; and therefore it will be proper to relate it in their words first, and then make a few remarks upon it. Socrates,[41]

[38] Aug. Ser. 16. de Verb. Dom. cap. 8. In secreto debemus corripere, in secreto arguere: ne volentes publice arguere, prodamus hominem. Nos volumus corripere et corrigere: quid si inimicus quærit audire quod puniat? &c.

[39] Basil. can. 34.

[40] Ambros. de Apolog. David. cap. 2. Cum a privato homine corriperetur, quod graviter deliquisset, non indignatus infremuit, sed confessus ingemuit culpæ dolore.

[41] Socrat. lib. 5. cap. 19.

speaking of the reign of Theodosius, says, "About this time it was thought proper to remove the penitentiary presbyters, τοὺς ἐπὶ τῆς μετανοίας πρεσβυτέρους, out of the churches upon this occasion. From the time that the Novatians made their separation from the church, refusing to communicate with those that lapsed in the Decian persecution, the bishops added to the ecclesiastical roll (τῷ ἐκκλησιαστικῷ κανόνι) a penitential presbyter; that they who fell into any sins after baptism, might make confession of them before the presbyter thereto appointed. And this order continues still among other sects; only they who receive the consubstantial doctrine, and the Novatians who agree with them in the same faith, are equally now agreed to reject the penitential presbyter. The Novatians indeed never admitted this additional office from the beginning; and the present governors of the churches, though they allowed it for a long time, yet now, under Nectarius, laid it aside, upon a certain accident that happened in the church. For a certain gentlewoman coming to the penitentiary presbyter, made particular confession of her sins that she had committed after baptism. And the presbyter enjoined her to fast and pray continually, that together with her confession she might show forth works worthy of repentance. But the woman, proceeding in the course of her penance, accused herself of another sin; for she confessed, that one of the deacons of the church had defiled her. Which occasioned the deacon to be cast out of the church; and there was no small stir among the people, who were incensed not barely for the fact, but because it brought great scandal and reproach upon the church. And the clergy being chiefly reviled upon this occasion, one Eudæmon, a presbyter of the church, born at Alexandria, gave counsel to Nectarius to take away the penitentiary presbyter, and leave it to every man's liberty to partake of the holy mysteries according to the direction of his own conscience: for this was the only way to free the church from reproach." This, he says, he the more confidently inserted into his history, because he had it from the mouth of Eudæmon himself; though he told Eudæmon, he doubted whether his counsel was for the advantage of the church, since it would occasion the neglect of mutual reproof, and the transgression of that rule of the apostle, "Have no fellowship with the unfruitful works of darkness, but rather reprove them." Sozomen,[42] in relating the same story, observes, that the chief offices of this penitentiary presbyter were, partly to direct such as had need of public penance how to go about it and perform it, and partly to impose private exercises of repentance upon those that needed not to undergo the public: and therefore that he was to be both a prudent man, to direct the one; and ἐχέμυθον, a man that could keep secrets without disclosing them, for the sake of the other. He observes further, that when Nectarius had abolished this office at Constantinople, his example was followed by almost all the bishops of the East; but that it continued in use in the Western churches, and chiefly at Rome, to prepare men for the public penance of the church, which he there takes occasion to describe in the whole course and process of it.

Now, from hence it is obvious to observe, 1. That this office was not set up to encourage auricular confession in prejudice to the public discipline, but chiefly to promote the exercise of public penance in the church. 2. That it was not of Divine, but only ecclesiastical institution. And therefore, 3. As it was instituted by the wisdom of the church for good ends; so when those ends could not be served, and perhaps better might, it was at the church's liberty by the same wisdom to abolish it, and put it down again, as Nectarius did in the East. 4. That the abolishing of it did not necessarily imply the abolishing of public discipline; which still continued in force in the Eastern church, notwithstanding the abrogation of this office; though perhaps something weakened in respect of private offenders; partly because they were not so much inclined to confess; and partly because the business of discipline now devolving wholly upon the bishops, as it was before, they had not leisure to attend it. 5. It is very plain from hence, that there was no necessity laid upon men to confess all their secret mortal sins before they came to the communion; but it was enough, as Valesius ingenuously confesses,[43] for men to search their own consciences, whereby they thought they satisfied that precept of the apostle, "Let a man examine him, and so let him eat of that bread, and drink of that cup." And so we have taken a full view of confession, both public and private, so far as it was in use and practice in the ancient church, beyond which it is none of my province to extend the inquiry, and search after the deviations and corruptions of modern ages, which the reader may find in any of our polemical writers against the church of Rome, or discern them by the account that has here been given, reducing every thing to the primitive standard.

[42] Sozomen. lib. 7. cap. 16.

[43] Vales. in Sozom. lib. 6. cap. 28.

CHAPTER IV.

OF THE GREAT RIGOUR, STRICTNESS, AND SEVERITY OF THE DISCIPLINE AND PENANCE OF THE ANCIENT CHURCH.

Sect. 1. Public penance ordinarily allowed but once to any sort of sinners.

THERE remains now but one thing more to be considered in the exercise of the ancient public penance, and that is the great strictness, rigour, and severity of it, expressed against all sins that fell under public discipline, and more especially those that were of a more heinous and malignant nature. One instance of the severity of their penitential rules was, that they ordinarily admitted men but once to the privilege of public penance, and allowed no second penance to be performed in the church by any sort of relapsers. I have already hinted this in the last chapter, and shall here give more evident proof of it, so far as concerns the general practice of the church in the four first ages; showing withal what exceptions it admitted of, by the power that was lodged in every bishop's hands to moderate the exercise of discipline, as occasion might require, according to his own judgment and discretion. We do not indeed find any general rule or canon for this peremptory denial of a second penance to relapsers; but if we consider the practice of the church, we shall find it almost universal. Hermes Pastor, who wrote in the beginning of the second century, plainly asserts this,[1] that the servants of God allowed but of once doing penance. And therefore he advises the husband who has an adulterous wife, to receive her once upon her repentance, but not oftener. Clemens Alexandrinus[2] treads in the same steps, allowing but one repentance after baptism, and citing the authority of Hermes Pastor for it. Tertullian, whilst he was a catholic, allowed with the catholics one penance after baptism, which he calls the second, making the repentance of baptism to be the first, and this the last. "God," says he,[3] "has placed in the porch, or entrance to the church, a second repentance, which opens to those that knock: but now only once, because now a second time; never more, because the last was vain and to no purpose." Then describing the whole course of this public penance, he says again,[4] "It is a second penance, and but one; which requires so much the more laborious exercise and trial, because it is a thing allowed us in our greatest exigency and distress." In like manner Origen,[5] speaking of the difference between greater and lesser sins, says, "The former had no place of repentance allowed them but only once, or very seldom; whereas those common sins we fall into almost every day, always admit of repentance, and are redeemed immediately without intermission." There are several canons in the council of Eliberis to the same purpose, that relapsers should not be admitted to communion by the benefit of a second repentance. One canon[6] says, That if any men commit adultery after they have done penance for idolatry, they shall no more be admitted to communion, that they may not seem to make a jest of the Lord's communion. Another orders,[7] That if any of the faithful, who is under penance for adultery, commit fornication in the time of his penance, he shall not have the communion even at his last hour. And a third canon[8] orders, That if a man who has been under penance for adultery, and is admitted to communion in sickness, or danger of imminent death, shall, after his recovery, commit adultery again, he shall no more make a jest of the communion of peace; that is, not have the privilege of a second penance, to obtain a second reconciliation or absolution.

Neither was this only the discipline of the three first ages, but it continued to be the practice for an age or two after: for St. Ambrose and St. Austin speak of it as still in use in their time. "They who think of doing penance often," says St. Ambrose,[9] "are deservedly reproved, because they grow wanton against Christ: for if they did penance truly, they would not think it was to be repeated; because as there is but one baptism, so there is but one penance, that is performed in public. There is, indeed, a daily repentance for sin, but that is for lesser sins, and the other for greater." In like manner St. Austin[10] says, "It was wisely and usefully ordered, that there should be no room for that public and

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[1] Hermes Past. lib. 2. Mandat. 4. n. 1. Debet recipere peccatricem quæ pœnitentiam egit, sed non sæpe. Servis enim Dei pœnitentia una est.

[2] Clem. Alex. Strom. 2. cap. 13. p. 459. Edit. Oxon.

[3] Tertul. de Pœnit. cap. 7. Deus collocavit in vestibulo pœnitentiam secundam, quæ pulsantibus patefaciat: sed jam semel, quia jam secundo; sed amplius nunquam, quia proxime frustra.

[4] Ibid. cap. 9. Hujus igitur pœnitentiæ secundæ et unius, quanto in arto negotium est, tanto operosior probatio est.

[5] Orig. Hom. 15. in Levit. t. 1. p. 174. In gravioribus criminibus, semel tantum vel raro pœnitentiæ conceditur locus: ista vero communia, quæ frequenter incurrimus, semper pœnitentiam recipiunt, et sine intermissione redimuntur.

[6] Conc. Eliber. can. 3. Si post pœnitentiam fuerint mœchati, placuit ulterius non eis dandam esse communionem, ne lusisse de Dominica communione videantur.

[7] Ibid. can. 7. Si quis forte fidelis post lapsum mœchiæ, post tempora constituta, accepta pœnitentia, denuo fuerit fornicatus, placuit nec in fine eum habere communionem.

[8] Ibid. can. 47. Si resuscitatus rursus fuerit mœchatus, placuit eum ulterius non ludere de communione pacis.

[9] Ambros. de Pœnitent. lib. 2. cap. 10. Merito reprehenduntur, qui sæpius agendam pœnitentiam putant, quia luxuriantur in Christo. Nam si vere agerent pœnitentiam, iterandam esse non putarent: quia sicut unum baptisma, ita una pœnitentia, quæ tamen publice agitur. Nam quotidiani nos debet pœnitere peccati; sed hæc delictorum leviorum, illa graviorum.

[10] Aug. Ep. 54. ad Macedon. Caute salubriterque pro-

humblest sort of penance in the church; lest it should make the remedy of sin contemptible, and so less useful to the sinner. This was the practice of the Roman church also in the time of Siricius; and Innocent and Leo, who commonly follow his prescriptions. The decree of Siricius about this matter runs in these terms: "Forasmuch as that they who after penance return like dogs to their vomit, or swine to their wallowing in the mire, cannot have[11] the benefit of a second penance, we decree, that they shall communicate with the faithful in prayer only, and be present at the celebration of the eucharist, but not partake of the Lord's feast at his table; that by this punishment they may learn to chastise their errors privately in themselves, and also set others an example how to abstain from the lusts of uncleanness. Yet, forasmuch as they fall by the frailty of the flesh, we would have them to be allowed their *viaticum* at the last, and be assisted with the grace of communion, when they are going to the Lord." It appears also from the canons of several councils in the same age, that such relapsers were either wholly cast out of the church, or at least kept back from the communion all their days, without being admitted to the benefit of any formal penance to restore them: as may be seen in the second council of Arles,[12] the council of Vannes,[13] the first of Tours,[14] and the first of Orleans,[15] but more especially the third of Toledo, where notice is taken of the contrary custom beginning to creep into some of the Spanish churches, and a strict order is made to correct it by reviving the ancient discipline of the church. "We hear," say they,[16] "that in some of the Spanish churches penance is not done according to canon, but after a very base fashion, that as often as men are pleased to sin, so often they require of the presbyters to be reconciled or absolved: to restrain which execrable presumption, the holy synod appoints, that penance shall be granted only according to the form of the ancient canons: and if any, either during the time of their penance, or after their reconciliation, relapse into their old vices, they shall be condemned according to the severity of former canons." That is, they shall not have liberty of repeating public penance *toties quoties* in the church. They did not deny men private penance, either for lesser sins of daily incursion, or for relapses into greater sins; but exhorted men to repent in both cases, in hopes of obtaining mercy and pardon from God by a sincere contrition and the diligent exercise of a private repentance. No confession was taken by the priest in either of these cases; for the first did not need it, and the second was not allowed it; only at their last hour relapsers were admitted to the communion and peace of the church, if they had exercised themselves diligently in all the proper acts of private repentance.

Sect. 2. Some sinners held under a strict penance all their lives to the very hour of death.

2. And this leads us to consider another instance of the great strictness and severity of the ancient discipline, which was, that for some certain sins men were kept under the exercise of public penance all their lives, and only absolved and reconciled at the point of death. The ordinary course of penance often held men for ten, fifteen, or twenty years in going through the several stages of repentance: but for some more heinous and enormous crimes no certain term of years was limited, but their lives; and perfect reconciliation and absolution was only granted them at their last hour, when imminent danger of death was upon them. Thus the council of Eliberis[17] orders, That if any one took upon him the office of a *flamen*, or Gentile priest, though he did not offer sacrifice, but only exhibit the usual games or shows to the people, he should do a severe and canonical penance all his life, and only be admitted to communion at the point of death. The like order is given[18] about consecrated virgins, that if any of them committed fornication, they should do penance all the time of their life, and only have the communion at the hour of death. The council of Neocæsarea[19] appoints the same for a woman that marries two brothers,

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visum, ut locus illius humillimæ pœnitentiæ semel in ecclesia concedatur, ne medicina vilis minus utilis esset ægrotis, &c.

[11] Siric. Ep. 1. ad Himerium, cap. 5. De his, qui, acta pœnitentia, tanquam canes ac sues, ad vomitus pristinos et ad volutabra redeunt—quia jam suffugium non habent pœnitendi, id duximus decernendum, ut sola inter ecclesiam fidelibus oratione jungantur; sacris mysteriorum celebritatibus, quamvis non mereantur, intersint: a Dominicæ autem mensæ convivio segregentur, ut hac saltem distinctione correpti, et ipsi in se sua errata castigent, et aliis exemplum tribuant, quatenus ab obscœnis cupiditatibus retrahantur. Quibus tamen, (quia carnali fragilitate ceciderunt,) viatico munere, cum ad Dominum cœperint proficisci, per communionis gratiam volumus subveniri.

[12] Conc. Arelat. 2. can. 21. [13] Conc. Venetic. can. 3.

[14] Conc. Turon. 1. can. 8.

[15] Conc. Aurelian. 1. can. 11. Ilerdense, can. 5.

[16] Conc. Tolet. 3. can. 11. Quoniam comperimus per quasdam Hispaniæ ecclesias, non secundum canonem, sed fœdissime pro suis peccatis homines agere pœnitentiam, ut quoties peccare libuerit, toties a presbyteris se reconciliari expostulent: et ideo pro coercenda tam execrabili præsumptione id a sancto concilio jubetur, ut secundum formam canonum antiquorum detur pœnitentia.——Hi vero, qui ad propria vitia, vel infra pœnitentiæ tempus, vel post reconciliationem, relabuntur, secundum priorum canonum severitatem damnentur.

[17] Conc. Eliber. can. 3. Item flamines, qui non immolaverint, sed munus tantum dederint, eo quod se a funestis abstinuerunt sacrificiis, placuit eis in fine præstari communionem, acta tamen legitima pœnitentia.

[18] Ibid. can. 13. Si omni tempore vitæ suæ hujusmodi fœminæ egerint pœnitentiam, placuit eas in fine accipere debere communionem.

[19] Conc. Neocæsar. can. 2. Γυνὴ ἐὰν γήμηται δύο ἀδελφοῖς, ἐξωθείσθω μεχρὶ θανάτου, κ.τ.λ.

that she shall be cast out of communion unto death; but at her last hour, to show clemency toward her, if she promise upon her recovery to dissolve the marriage, she shall have the benefit of repentance. The first council of Arles[20] inflicts the same punishment upon those that falsely accuse their brethren, that they shall not communicate to the hour of death. The council of Ancyra[21] decrees the like for such married men as are guilty of bestiality after they are fifty years old, that they shall not be received into communion till the end of their life. The council of Valence[22] in France laid the same penalty upon some that fell into idolatry, that they should do penance to the hour of death, yet not without hopes of remission, which they were to expect more fully from God, who was the donor of it. The council of Lerida[23] allows the inferior clergy to do penance for a first offence, and regain their office upon it: but if they return like dogs to their vomit, and as swine to their wallowing in the mire, they are not only to be deprived of their office, but of the communion to their last hour. And so Felix III.,[24] bishop of Rome, determined in the case of those African bishops, presbyters and deacons, who suffered themselves to be rebaptized by the Arians in the Vandalic persecution: That they continue under penance to the day of their death; and neither be present at the prayers of the faithful, nor the catechumens, and only be admitted to lay communion at the point of death.

Sect. 3. Such as were absolved upon a death-bed, were obliged to perform their ordinary penance, if they recovered.

3. Another instance of the strictness and severity of the ancient discipline is visible in the treatment of such penitents as were reconciled upon a death-bed. Though they were admitted to the peace and communion of the church, when they were in extreme necessity, and imminent danger of death, that they might have their *viaticum* when they were about to leave the world; yet if they chanced to recover, they were obliged to perform the whole penance, more or less, whatever it was which they should have done, had not such an exigency procured them an absolution. And this is the only case, in which the ancient church ever allowed any absolution to be granted before the penance was duly and regularly performed. Which being an extraordinary case, it is nothing to those who think to justify the same practice now in ordinary cases: but of this more hereafter. As to the present observation, that penitents absolved upon a death-bed were, upon their recovery, reduced to the same state of penance, which they were to have been under had not the necessity of sickness required their absolution, is evident from the plain testimony of several councils. The council of Nice[25] orders such upon their recovery to be placed among those that communicated in prayers only; that is, in the fourth rank of penitents, called co-standers, where they might stay to hear the prayers of the faithful, but not partake of the oblation. The fourth council of Carthage has two canons relating to them. The first says,[26] If such a penitent recover, he shall be subjected to the ordinary laws of penance, as long as the priest who admitted him to penance shall judge convenient. The other,[27] That penitents, who in time of sickness receive the *viaticum* of the eucharist, shall not think themselves absolved, unless they undergo imposition of hands, if they chance to recover: that is, the imposition of hands which was given to penitents of the third order, called prostrators, who were obliged to present themselves every day at church, and kneel down before the bishop, to receive the solemn imposition of hands, with the usual penitential prayers and benediction. The first council of Orange[28] more particularly explains the whole matter in this form: They who are about to leave the body, when they are doing penance, may communicate without the reconciliatory imposition of hands, which sort of communion is sufficient for the consolation of a dying person, according to the decrees of the fathers, who call this kind of communion their *viaticum*. But if they survive, they shall stand in the order of penitents, that they may first show forth the necessary fruits of repentance, and then be received to communion in the ordinary and regular way, by the reconciliatory imposition of hands. The council of Epone[29]

[20] Conc. Arelat. 1. can. 14. De his qui falso accusant fratres suos, placuit eos usque ad exitum non communicare.

[21] Conc. Ancyr. can. 16. Ἐπὶ τῇ ἐξόδῳ τοῦ βίου τυγχανέτωσαν τῆς κοινωνίας.

[22] Conc. Valentin an. 374. can. 3. Usque in diem mortis acturi pœnitentiam, non sine spe tamen remissionis, &c.

[23] Conc. Ilerdens. can. 5. Si iterato, velut canes ad vomitum, reversi fuerint, &c., non solum dignitate officii careant, sed etiam sanctam communionem, nisi in exitu, non percipiant.

[24] Felic. III. in Conc. Rom. cap. 2. Usque ad exitus sui diem in pœnitentia jacere conveniet; nec orationi modo fidelium, sed nec catechumenorum omnimodis interesse, quibus communio laica tantum in morte reddenda est.

[25] Conc. Nic. can. 13.

[26] Conc. Carth. 4. can. 76. Si supervixerit, subdatur statutis pœnitentiæ legibus, quamdiu sacerdos, qui pœnitentiam dederit, probaverit.

[27] Ibid. can. 78. Pœnitentes, qui in infirmitate viaticum eucharistiæ acceperint, non se credant absolutos sine manus impositione, si supervixerint.

[28] Conc. Arausican. 1. can. 3. Qui recedunt de corpore, pœnitentia accepta, placuit sine reconciliatoria manus impositione eos communicare, quod morientis sufficit consolationi secundum definitiones patrum, qui hujusmodi communionem congruenter viaticum nominaverunt. Quod si supervixerint, stent in ordine pœnitentium, ut ostensis necessariis pœnitentiæ fructibus, legitimam communionem cum reconciliatoria manus impositione recipiant.

[29] Conc. Epaunens. can. 36. Ne ullus sine remedio aut spe veniæ ab ecclesia repellatur; neve ulli, si aut pœnituerit, aut se correxerit, ad veniam redeundi aditus obstruatur:

speaks much after the same manner: That no one should be repelled from or by the church without remedy, or hopes of pardon, nor the door of returning to pardon be shut against one that repents and corrects his errors: and if any one be in imminent danger of death, the time prescribed for his condemnation or penance shall be relaxed. But if it happens, that the sick man recovers after he has received his *viaticum*, he must observe and fulfil the time of penance that was appointed him. Gregory Nyssen's canon[30] is much to the same purpose: If any one be in imminent danger of death, who has not gone through the whole time appointed for his penance; the clemency of the fathers in that case has decreed, that he shall not take his long journey (out of the world) without his *viaticum* or provision for it, nor without partaking of the holy mysteries. But if after participation he recover from his sickness, he must then continue the time appointed in that order or station of penitents, in which he was when this necessity and danger came upon him. To all these may be added the decree of the Roman council under Felix III., anno 487, which renews[31] the determination of the Nicene fathers, That if any of those who had been admitted to communion before the fixed time of their penance was completed, because their life was despaired of by the physicians, and evident signs of death were upon them, should happen afterwards to recover, they should at least continue in the fourth rank of penitents, among those that communicated only in prayers without the oblation, till the full term of their penance was ended.

Sect. 4. Some sinners denied communion at their last hour.

But some sinners were yet more severely handled; for they were denied communion to the very last, and suffered to go out of the world without any manner of reconciliation. This discipline was generally used at first toward the three great sins of idolatry, adultery, and murder, which, as learned men agree,[32] continued almost to the time of Cyprian. Cyprian himself assures us,[33] that many of his predecessors absolutely refused to admit adulterers to communion at their very last hour. And though this rigour was abated by general agreement toward penitents in his time, yet they still continued to deny communion to the very last to such apostates, as persisted obstinate and impenitent all their lives, and only desired reconciliation when the pangs of death were upon them. They, says he,[34] who do no penance, nor ever testify any sorrow for their sin from their heart by manifest professions of lamentation, though they begin to deprecate and sue for pardon when infirmity and the danger of death is upon them, such we think fit absolutely to debar from all hopes of communion and peace: because it is not repentance for their sins, but only the apprehension and terror of approaching death, that compels them to ask pardon; and he is not worthy to receive consolation at his death, who would not beforehand consider that he must shortly die. We find this rule concerning apostates some time after renewed by the first council of Arles, where a decree was passed, That such apostates[35] as never presented themselves to the church, nor sought to do any manner of penance, but at last, when they were seized with an infirmity, desired to have the communion, should in that case be debarred from it, unless they recovered, and brought forth fruits worthy of repentance. And Innocent, bishop of Rome,[36] plainly says, this was the primitive custom for the three first ages of persecution: If any one after baptism spent his whole life in intemperance and pleasure, and in the end of his days desired penance and the reconciliation of communion, they only admitted him to penance, but absolutely denied him communion. For in those days, persecutions being very frequent, lest the easiness of obtaining communion should make men secure of reconciliation, and retard their returning from sin, communion was justly denied

et si cuiquam forsitan discrimen mortis immineat, damnationis constitutæ tempora relaxentur. Quod si ægrotum, accepto viatico, revalescere fortasse contingit, statuti temporis spatia observare conveniet.

[30] Nyssen. Ep. ad Letoium, can. 5.

[31] Conc. Rom. can. 4. Quod si ante præfinitum pœnitentiæ tempus desperatus a medicis, aut evidentibus mortis pressus indiciis, recepta quisquam communionis gratia convalescat; servemus in eo quod Niceni canones ordinaverunt, ut habeatur inter eos qui in oratione sola communicant, donec impleatur spatium temporis eidem præstitutum.

[32] Vid. Albaspin. Observat. lib. 2. cap. 7 ad 20. Bona, Rer. Liturg. lib. 1. cap. 17. n. 1. Fell. Not. in Cypr. Ep. 8. p. 17.

[33] Cypr. Ep. 55. ad Antonian. p. 110. Et quidem apud antecessores nostros quidam de episcopis istic in provincia nostra dandam pacem mœchis non putaverunt, et in totum pœnitentiæ locum contra adulteria clauserunt.

[34] Ibid. p. 111. Pœnitentiam non agentes, nec dolorem delictorum suorum toto corde et manifesta lamentationis suæ professione testantes, prohibendos omnino censuimus a spe communicationis et pacis, si in infirmitate et periculo cœperint deprecari: quia rogare illos non delicti pœnitentia, sed mortis urgentis admonitio compellit: nec dignus est in morte accipere solatium, qui se non cogitavit esse moriturum.

[35] Conc. Arelat. 1. can. 23. De his qui apostatant, et nunquam se ad ecclesiam repræsentant, nec quidem pœnitentiam agere quærunt, et postea in infirmitate arrepti petunt communionem, placuit, eis non dandam communionem, nisi revaluerint, et egerint dignos fructus pœnitentiæ.

[36] Innoc. Ep. 3. ad Exuperium, cap. 2. Et hoc quæsitum est, quid de his observari debeat, qui post baptismum omni tempore intemperantiæ et voluptatibus dediti, in extremo fine vitæ suæ pœnitentiam simul et reconciliationem communionis exposcunt. De his observatio prior, durior; posterior, interveniente misericordia, inclinatior est. Nam consuetudo prior tenuit, ut concederetur eis pœnitentia, sed communio negaretur.—Sed postquam Dominus noster pacem ecclesiis suis reddidit, jam depulso terrore, communionem dari abeuntibus placuit, &c.

them, and only penance allowed them, that they might not be deprived of the whole: the consideration of the times made their remission or reconciliation more difficult to be obtained; but after the Lord had granted peace to his church, and the terror of persecution was over, then it seemed good to the church to receive all such to communion when they were going out of the world, and for the mercy of the Lord to grant it to them as their *viaticum* or provision for their journey, lest we should seem to follow the asperity and hardness of Novatian the heretic, who denied men pardon for greater sins committed after baptism. The canons of the council of Eliberis do abundantly confirm this observation made by Pope Innocent upon the preceding ages of persecution; for there are at least twenty canons in that council, which deny communion to the very last to several sorts of sinners, whose crimes were either doubled and tripled, or single crimes of a more flagrant scandal and heinous provocation. Thus the first canon determines[37] in the case of voluntary idolaters and apostates, who, without any compulsion, went of their own accord to the temple, and offered sacrifice: this being a more heinous and capital offence, than bare sacrificing by the violence and force of torture, it is ordered, that such apostates shall not have the communion even at their last hour. The next canon[38] inflicts the same punishment upon such idolaters as are guilty of a complication of crimes; as when a Christian takes upon him the office of a *flamen*, or heathen high priest, and therein adds to his idolatry either adultery or murder. So if a man kills another by sorcery, because there is idolatry joined with murder, he is not to have the communion[39] even at the hour of death. If a man, whilst he is doing penance for idolatry or adultery, relapses into the same,[40] or any other great crime, this repetition of his crime in such a case debars him from communion at his last hour. Another canon[41] orders the like severity to be used towards women, who, without cause, forsake their own husbands, and are married to other men. And the same is determined in case a woman[42] is married to a man, whom she knows to have unlawfully divorced himself from a former wife: both these sorts are denied communion to the very last. Another canon[43] subjects all panders and promoters of uncleanness to the same penalty, whether it be a father, or mother, or any other Christian, that exercises this abominable trade: because they sell the bodies of others, or rather their own, they are not to have communion even at their last hour. The same is determined[44] in the case of a virgin dedicated to God; if she commits fornication, and continues in her uncleanness without reflecting upon what she has done, there is no absolution for her in her last minutes. As neither for the man[45] that marries his daughter to any idol-priest. Nor for any bishop, presbyter, or deacon, that commits adultery[46] whilst he is actually in the ministry, both because of the scandal, and also the wickedness and profaneness of the crime itself. So if a woman commits adultery in her husband's absence, and murders her infant,[47] she is not to have communion at the very last, because she doubles her crime. In like manner a woman is to be treated,[48] that lives in adultery all her life with another man. And also any clergyman,[49] that knows his wife to be guilty of adultery, and does not immediately put her away; lest they, who ought to be examples of good conversation to others, should seem to teach others the way to sin. The same punishment[50] is awarded to any one that commits incest, by marrying his wife's daughter by a former husband. And to such as are conscious[51] and consenting to their wife's adultery. And to all that commit sodomy[52] with boys; and to women who commit adultery with any man, and afterwards marry[53] another husband, and not the man who defiled them. If any one turn informer against his brethren, so that they suffer[54] banishment, confiscation, or death, by his information, he is not to have communion at his last hour. If any one accuse a bishop, presbyter, or deacon, of false crimes,[55] and do not make out

[37] Conc. Eliber. can. 1. Placuit, ut quicunque post fidem baptismi salutaris, adulta ætate, ad templum idololatraturus accesserit, et fecerit, quod est crimen capitale, nec in fine eum communionem accipere.

[38] Ibid. can. 2. Flamines qui post fidem lavacri et regenerationis sacrificaverunt: eo quod geminaverint scelera, accedente homicidio, vel triplicaverint facinus, cohærente mœchia, placuit eos nec in fine accipere communionem.

[39] Ibid. can. 6. Si quis maleficio interficiat alterum, eo quod sine idololatria perficere scelus non potuit, nec in fine impertiendam esse illi communionem.

[40] Ibid. can. 3. sect. 7. See these canons before, sect. 1.

[41] Ibid. can. 8. Fœminæ, quæ, nulla præcedente causa, reliquerint viros suos, et se copulaverint alteris, nec in fine accipiant communionem.

[42] Ibid. can. 10. Si fuerit fidelis, quæ ducitur ab eo qui uxorem inculpatam reliquit, et cum scierit illum habere uxorem quam sine causa reliquit, placuit, huic nec in fine dandam esse communionem.

[43] Ibid. can. 12. Mater, vel parens, vel quælibet fidelis, si lenocinium exercuerit, eo quod alienum vendiderit corpus, vel potius suum, placuit, eas nec in fine accipere communionem.

[44] Ibid. can. 13. Virgines, quæ se Deo dicaverint, si pactum perdiderint virginitatis, atque eidem libidini servierint, non intelligentes quod amiserint, placuit, nec in fine eis dandam esse communionem.

[45] Ibid. can. 17. Si qui forte sacerdotibus idolorum filias suas junxerint, placuit, nec in fine eis dandam esse communionem.

[46] Ibid. can. 18. Episcopi, presbyteri, diaconi, si in ministerio positi, detecti fuerint quod sint mœchati, placuit, et propter scandalum, et propter profanum crimen, nec in fine eos communionem accipere debere.

[47] Ibid. can. 63. [48] Can. 64. [49] Can. 65.
[50] Can. 66. [51] Can. 70. [52] Can. 71.
[53] Can. 72. [54] Can. 73. [55] Can. 75.

what he alleges against them, he also is to be denied communion to the very last. I have represented these things at large, both to evidence the thing now asserted, and also to show what sort of heinous crimes those were, for which this great severity of discipline was used toward men at their last hour. Some learned persons are offended at this council for its extreme severity and rigour. Auxilius[56] heretofore brought the charge of Novatianism against Hosius and the council together. And Suicerus[57] asserts, that the orthodox church always taught, that lapsers were to be received into communion upon their repentance. Which, in effect, is to bring the charge of Novatianism against this council, and to make it no part of the orthodox church. But then the difficulty will be, how to clear Cyprian and the council of Arles from the same charge of Novatianism; for it is plain they were in the same sentiments as to what concerned apostates, who neglected penance to the hour of death: and not only they, but the great council of Sardica, which restored Athanasius, will be involved in the same condemnation; for there is a canon in that council which is as peremptory in this matter as any in the council of Eliberis. The canon[58] orders, That if any bishop, out of ambition or covetousness, procure himself to be removed from a lesser city to a greater, without the approbation of a synod, he shall not be admitted even to lay communion at his last hour. So that if this were Novatianism, there is no apology to be made for this council, no more than for that of Eliberis; the decrees of both councils being the very same, and of equal severity toward extraordinary offenders. The Novatians indeed sometimes laid hold of this practice in the church, as a handle to justify their own unwarrantable proceedings against all great sins committed after baptism; they said, they only treated the laity as the catholics did the clergy, whom for several crimes they debarred from all communion to the very last: for so Socrates tells us,[59] Asclepiades, the Novatian bishop, argued with Atticus, bishop of Constantinople: when Atticus acknowledged, that communion might reasonably be denied even at the point of death to such as sacrificed to idols, and that he himself had sometimes done so; Asclepiades replied, There are many other sins unto death, as the Scripture calls them, besides sacrificing to idols, for which ye shut the clergy out of the church, and we the laity, remitting them over to God alone for their pardon.

Sect. 5. How this may be vindicated and cleared from the charge of Novatianism.

But this was only a sophistical argument and false apology for the Novatian schism; which, though it has imposed upon many learned men, and driven them to strange difficulties in explaining many of the ancient canons, and obliged them to put a forced and unnatural sense upon plain words, for fear they should seem to encourage the same error as Novatian held; yet the fallacy will easily be discerned by a right stating the matter, and setting things in a proper light before the reader. The question between the church and the Novatians was not, whether communion at the hour of death might be denied to some sort of sinners; for in this they both agreed, and the practice of the church in many cases was no less severe toward some great and flagrant crimes, or a complication of crimes, than was that of the Novatians, as evidently appears from what has been already discoursed. But the question was about the ministerial power of absolution, or admitting penitent sinners to the peace and communion of the church again, after they had lapsed or fallen into any great sin after baptism. The Novatians stiffly maintained, that the church had no such ministerial power of the keys committed to her; but that all such sinners were for ever to be excluded and kept out of her communion; and that if she admitted any of them again, her communion was polluted and profaned by their contagion: and upon this principle they made a separation from the church, as infected by the communion of sinners. The church, on the other hand, asserted her own just right and power, that, by the commission of the keys from Christ, she had power to loose as well as bind; to receive penitents into the church upon their reformation, as well as cast out flagitious men for their notorious transgressions: and though in some extraordinary cases, either where the crimes were very heinous and numerous, or where for want of time she could not have sufficient evidence of men's repentance, when they continued in their apostacy and impenitency till they were threatened by death, she sometimes suffered such men to go out of the world without reconciliation and communion; yet she did not this for want of power to receive sinners into her communion, but because she judged it more proper to let her censures continue upon such to the very last, to be an example and terror to others. So that though the practice of the church and the Novatians was in some cases the same, yet their principles were very different, and vastly wide of one another. The Novatians wholly denied this power to the church, and made a schism upon it; the church maintained her own just power, and used it with discretion, sometimes one way, and sometimes another, as she judged most expedient in her own wisdom for the benefit and edification of sinners, without dividing communion upon this point among

[56] Auxil. de Ordinat. Formosi, lib. 1. cap. 12 et 14. lib. 2. cap. 23.

[57] Suicer. Thesaur. Eccles. voce Μετάνοια, p. 357.

[58] Conc. Sardic. can. 2. Μηδὲ ἐν τῷ τέλει λαϊκῆς γοῦν ἀξιοῦσθαι κοινωνίας.

[59] Socrat. lib. 7. cap. 25.

the governors of the church, whatever way they thought fit to practise. This is what Cyprian observes chiefly against Novatian[60] in the case of admitting and not admitting adulterers to communion. Some of our predecessors, says he, in this province were of opinion, that peace was not to be granted to adulterers, and therefore they wholly shut the door of repentance against adultery; yet they did not depart from the college of their fellow bishops upon this account, or break the unity of the catholic church by any obstinate stiffness in their censure; so as that because peace was granted by others to adulterers, therefore they who would not grant it should make a separation from the church. But the bond of concord remaining entire, and the mystical unity of the catholic church continuing undivided, every bishop managed and directed his own acts of discipline as he thought proper, being to give an account of his resolutions and management to the Lord. It appears from hence, that the dispute between the church and the Novatians was not barely about practice, but about principles and the power of the church, in the use and management of the keys of discipline; and therefore, though the church sometimes did the same thing that the Novatians did, in refusing communion to some sinners even at the point of death, yet she was no ways chargeable with Novatianism, because she acted upon different views and principles, and only made use of her just power in a discretionary way, to extend or contract her censures, as she judged most expedient for the benefit and edification of the whole community, or any particular member of it. And thus, I find, many learned men, such as Albaspinæus,[61] Bishop Beveridge,[62] and Cardinal Bona,[63] have accounted for this seeming difficulty in the church's practice, which has so tortured the wits of other men, for want of understanding wherein the true nature of the Novatian heresy consisted: some fancying, that the fathers in and before the council of Eliberis were downright Novatians; others, that they allowed men reconciliation, and peace, and absolution, but only denied them the communion of the eucharist at their last hour; whereas nothing can be plainer, than that they denied them not only the communion, as it denotes the eucharist, but all manner of ministerial reconciliation, pardon, absolution, and readmission into the society of the faithful.

Sect. 6. This rigour abated in after ages without any reflection on the preceding practice.

This rigour, indeed, was abated in the practice of the following ages, but without the least reflection on those that went before them: because they were sensible it was at the church's liberty to order this part of discipline according to her own prudence, and act as the circumstances of times and the state of affairs required; judging the times of peace to be different from times of persecution, and that some abatement was to be made in this matter, when all the world was become Christian. The later councils, therefore, are not so stiff in requiring the execution of the ancient canons in this particular, but allow every penitent communion at their last hour, though they would not undertake to assure them what effect an absolution in such extremity should have before God. The canons are very numerous upon this head: it will be sufficient to mention one or two as a specimen of all the rest. The council of Agde[64] speaks in general terms without exception: No penitents are to be denied their *viaticum*, or provision for their journey, at the point of death. The first council of Orange as universally, making no distinction: Whoever[65] accept of penance, when they depart from the body, let them be received to communion; but without the solemn imposition of hands, which is only to be given them, if they recover, upon performing their just penance in the church. The fourth council of Carthage[66] orders, That they shall have both the solemn imposition of hands, and the eucharist also, even though they had lost their senses or were struck dumb with their disease, if any about them could testify that they desired penance in their sickness. And this was agreeable to the rule made in the great council of Nice,[67] That no one at the point of death should be deprived of his final and most necessary *viaticum*, the eucharist or oblation, as it is explained in the close of the canon, where the bishop is made judge of his repentance. Upon this ground Synesius[68] says, he never let any one go out of the world bound with the bonds of anathema, if they desired absolution; only, if they recovered, he reserved them

[60] Cypr. Ep. 55. ad Antonian. p. 110. Et quidem apud antecessores nostros quidam de episcopis istic in provincia nostra dandam pacem mœchis non putaverunt, et in totum pœnitentiæ locum contra adulteria clauserunt; non tamen a coepiscoporum suorum collegio recesserunt, aut catholicæ ecclesiæ unitatem vel duritiæ vel censuræ suæ obstinatione ruperunt, &c.

[61] Albaspin. Observat. lib. 2. cap. 21.

[62] Bevereg. Not. ad can. 8. Conc. Nic. p. 68.

[63] Bona, Rer. Liturg. lib. 2. can. 17. n. 3.

[64] Conc. Agathen. can. 15. Viaticum omnibus in morte positis non est negandum.

[65] Conc. Arausic. 1. can. 3. Qui recedunt de corpore, pœnitentia accepta, placuit, sine reconciliatoria manus impositione communicare, quod morientis sufficit consolationi, &c.

[66] Conc. Carth. 4. can. 76. Qui pœnitentiam in infirmitate petit, si casu dum ad eum sacerdos invitatus venit, oppressus infirmitate obmutuerit, vel in phrenesin versus fuerit, dent testimonium qui eum audierunt, et accipiat pœnitentiam; et si continuo creditur moriturus, reconcilietur per manus impositionem, et ori ejus infundatur eucharistia.

[67] Conc. Nicæn. can. 13. *Εἴ τις ἐξοδεύοι, τοῦ τελευταίου καὶ ἀναγκαιοτάτου ἐφοδίου μὴ ἀποστερεῖσθαι.*

[68] Synes. Ep. 67. ad Theophilum, p. 252. *Μηδεὶς γὰρ ἀποθάνοι δεδεμένος ἐμοί.*

to the disposition of his metropolitan of Alexandria. And this confirms the remark made in general by Pope Innocent[69] upon the different practices of the church in times of persecution and times of peace. The former observation was more severe, the latter more indulgent. In ancient times many sinners were denied communion at the hour of death: but in his time they granted penance to all, and admitted them to communion upon a death-bed repentance. Only they did not think this so safe as the performance of a regular penance in their life-time; and therefore they would not pronounce any thing confidently of their condition. There goes an ancient homily under the name of St. Austin, and it is also attributed to St. Ambrose, where this matter is thus delivered: If a man repents at his last hour, and is reconciled, and so dies, I am not[70] secure that this man goes hence securely: I can admit him to penance, but I can give him no security. Do I say he shall be damned? I do not say it; but neither do I say he shall be saved. What then do I say? I know not, I presume not, I promise not. For I know not the will of God. Would you free yourself from all doubt, and avoid that which is uncertain? Repent whilst you are in health, and you will be secure when your last day finds you; because you repent in a time when you had power to sin: but if you then only begin to repent, when you can sin no longer, it is not so much you that forsake your sins, as your sins forsake you. By all this it plainly appears, that the church used a liberty of discretion in treating sinners of the first rank, either with severity or tenderness, as she judged expedient for the ends of discipline, or the benefit and edification of the sinner.

Sect. 7. What liberty was allowed to bishops in imposing penance, and exacting proper satisfaction of sinners. Some sinners allowed to do penance twice.

Indeed we may observe, that a great latitude and liberty was allowed to bishops, who were the prime ministers of discipline, to render it more rigorous or easy, as they thought fit to regulate the exercise of it in their own discretion. For though it was necessary in general for sinners to demonstrate their repentance to the church, in order to give her satisfaction, and gain themselves readmission; yet the method of doing this was not so precisely prescribed, but that bishops had power to add to or abate something in the measures of it. Therefore, though the general custom was to allow sinners to do public penance but once in the church, yet there are some instances, in the most strict and primitive ages, of sinners being admitted twice to this privilege. For Irenæus[71] says, Cerdon the heretic more than once made confession of his heresy. Which we are to understand of his doing penance twice for his errors by making a public recantation of them. Tertullian says the same of Valentinus and Marcion, that they were[72] once and again cast out of the church for their turbulent curiosity in corrupting the brethren, before they broke out into their last dissension, when they scattered the poison of their doctrines among the people. And yet after that Marcion did penance, and was to have been received into the communion of the church again, upon condition that he should bring back those whom he had led into perdition; which he intended to do, but death prevented him. It is noted also by Socrates[73] concerning St. Chrysostom, that though a synod of bishops had decreed, that lapsers should only be admitted once to do public penance, yet in his homilies he was used to tell men, they should do it a thousand times, if occasion required, and be received to communion. Which bold doctrine displeased many of his friends, and Sisinnius, the Novatian bishop, wrote a book against it. After this, a council was held at Constantinople, anno 426, or 427, under another Sisinnius, the catholic bishop, one of St. Chrysostom's successors, against the Massalian heretics, wherein it was decreed, that, because they had often relapsed after doing penance, they should be admitted to do penance no more, though they made never so many solemn professions of repenting. The synodical epistle is recorded in Photius,[74] from whence we learn, that relapsers at this time were allowed to do penance again, though the council thought fit to deny the Massalian heretics the privilege any longer, because they had so often abused it.

Sect. 8. Bishops had also power to moderate the term of penance upon just occasion.

Another instance of the power of bishops in this matter, was the liberty which the canons themselves granted them to moderate the term of penance, and shorten it, if they observed any extraordinary degree of zeal and sedulity in any penitents, that might deserve their indulgence and commiseration. The council of Nice, determining the term of penance for such as fell into idolatry,[75] says, they shall be three years hearers, and ten years prostrators, before they were admitted to communicate in prayers with the people: but if any were more than ordinarily diligent in expressing their concern and

[69] Innoc. Ep. 3. ad Exuperium, cap. 2. De his observatio prior durior: posterior, interveniente misericordia, inclinatior est, &c.

[70] Aug. Hom. 41. ex 50. t. 10. p. 194. Agens pœnitentiam ad ultimum et reconciliatus, si securus hinc exit, ego non sum securus.——Pœnitentiam dare possum, securitatem dare non possum, &c. Vid. Ambros. Exhortat. ad Pœnitent.

[71] Iren. lib. 3. cap. 4.

[72] Tertul. de Præscript. cap. 30. Ob inquietam semper eorum curiositatem, qua fratres quoque vitiabant, semel et iterum ejecti—novissime in perpetuum discidium relegati, venena doctrinarum suarum disseminaverunt. Postmodum Marcion pœnitentiam confessus, cum conditioni datæ sibi occurrit, ita pacem recepturus, si cæteros quoque, quos perditioni erudisset, ecclesiæ restitueret, morte præventus est.

[73] Socrat. lib. 6. cap. 21.

[74] Phot. Biblioth. cod. 52.

[75] Conc. Nic. can. 12.

tears, and bringing forth good works, the true fruits of repentance, it should be in the bishop's power to deal more gently and mildly with them, *ἀνθρωπότερόν τι περὶ αὐτῶν βουλεύσασθαι*, and bring them to communicate in prayers sooner. The like order is given by the council of Ancyra,[76] That bishops shall have power, upon examination and trial of the penitents' manner of behaviour and conversion, either to show them favour by shortening the time of penance, or otherwise to add to it at his discretion, *ἢ φιλανθρωπεύεσθαι, ἢ πλείονα προστιθέναι χρόνον.* So St. Basil[77] says, He that has the power of binding and loosing, may lessen the time of penance to a penitent that shows great contrition. And Chrysostom, in answer to some who complained of the length of penance, that it continued a year, or two, or three, says, I require not the continuance of time,[78] but the correction of the soul. Demonstrate your contrition, demonstrate your reformation, and all is done. The council of Lerida very expressly: Let it remain[79] in the power of the bishop either to shorten the suspension of the truly contrite, or to segregate the negligent a longer time from the body of the church. And the great council of Chalcedon[80] leaves it entirely in the hands of every bishop in his respective church, to show favour to such penitents at his own discretion.

Sect. 9. And this was the true ancient notion of an indulgence.

And this is what some of the ancients call an indulgence; which was not heretofore any pretended power of delivering souls from the pains of purgatory, by virtue of a stock of merits, or works of supererogation, which they of the church of Rome call now the church's treasure, of which the pope is become the sole dispenser: but anciently an indulgence was no more than this power, which every bishop had, of moderating the canonical punishments, which in a course of penance were inflicted upon sinners; so that if the bishop saw any one to be a zealous and earnest penitent, he had liberty to shorten the time of his penance, that is, grant him a relaxation of some of his penitential exercises, and admit him sooner than others to communion. This was the true ancient notion of an indulgence. And that it was so, we may learn from one of the epistles of Pope Vigilius, who, writing to a certain bishop concerning some persons who were under penance for suffering themselves to be rebaptized by the Arians, he tells him,[81] that it was left to his own judgment, and the judgment of other bishops in their respective dioceses, if they approved the quality and devotion of any penitents, to grant them the benefit of an indulgence, that is, a relaxation of their penitential exercises, or a speedier admission to communion.

Sect. 10. Which was sometimes granted at the intercession of the martyrs, or the instance of the civil magistrate.

And this was sometimes granted at the intercession of the martyrs in prison, of which there are several examples in Cyprian; and sometimes at the instance of the civil magistrate. For St. Austin tells us,[82] that as bishops were used to intercede for criminals in the civil courts, so the magistrates sometimes interceded for penitents in the ecclesiastical. And he uses this as an argument to a certain magistrate to induce him to show mercy to an offender: If you have liberty to intercede with us for the mitigation of an ecclesiastical censure, why may not the bishop intercede against your sword, when our sword is only drawn to make the man live better, but yours that he may not live at all? This sort of indulgences therefore had no respect to the punishments of the next world, but only to the mitigation of ecclesiastical punishment in this; which is ingenuously acknowledged by Cassander,[83] and several other learned Romanists, some of which have undergone the censures of the Roman inquisitors for their over-liberal concessions. Particularly Polydore Virgil is put into the Index Expurgatorius[84] for saying, that the use of indulgences is no older than the time of Gregory the Great; and Franciscus Polygranus,[85] for asserting, that every bishop of Divine right has power to grant indulgences, with some assertions of the like nature, which agree very well with the true ancient notion of an indulgence, as it has been now explained, but will not comport with the pope's sole claim and pretence to this power, or any other innovations in the modern practice. But this only by the way; I now return to the ancient church.

Sect. 11. Bishops had also power to alter the nature of the penalty in some measure, as well as the term of it.

Where we may observe further, that bishops had power to grant indulgence, not only by contracting the term of penance, but also, in some measure, by altering or lessening the nature and quality of the punishment itself. Of which we

[76] Conc. Ancyr. can. 5. [77] Basil. can. 74.

[78] Chrys. Hom. 14. in 2 Cor. p. 846.

[79] Conc. Ilerden. can. 5. Maneat in potestate pontificis, vel veraciter afflictos non diu suspendere, vel desidiosos prolixiore tempore ab ecclesiæ corpore segregare.

[80] Conc. Chalced. can. 16. *Ὡρίσαμεν δὲ ἔχειν τὴν αὐθεντίαν τῆς ἐπ' αὐτοῖς φιλανθρωπίας τὸν κατὰ τόπον ἐπίσκοπον.* See Martin. Bracarens. Capitula Græc. Can. cap. 81. Conversatio et fides pœnitentis compendiat tempus.

[81] Vigil. Ep. 2. ad Eleutherium, cap. 3. In æstimatione fraternitatis tuæ, aliorumque pontificum per suas diœceses, relinquatur, ut si qualitas et pœnitentis devotio fuerit approbata, indulgentiæ quoque remedio sit vicina.

[82] Aug. Ep. 54. ad Macedonium, p. 93. Si vobis fas est ecclesiasticam correptionem intercedendo mitigare, quomodo episcopus vestro gladio non debet intercedere, cum illa exeratur, ut in quem exeritur bene vivat, iste ne vivat?

[83] Cassand. Consultat. Art. 12. p. 103. Joan. Roffensis, cont. Luther. Art. 18. Polydor. Virgil. de Inventor. Rerum, lib. 8. cap. 1. Alphons. a Castro. advers. Hæres. lib. 8. p. 572.

[84] Index Libror. Prohib. et Expurg. p. 853. Madrit. 1667.

[85] Index Expurg. p. 97. Salmur. 1601. Ex Fr. Polygrani assertionibus quorundam ecclesiæ dogmatum. Fol. 68. deleatur glossa marginalis, quæ ait, de jure divino quilibet sacerdos posset dare indulgentias.

have a plain evidence in the council of Ancyra,[86] where, in the case of deacons who lapsed into idolatry, and afterwards recovering, stood firm in a second engagement, it is ordered, that they may retain the honour of deacons, but not any part of their sacred service, either in ministering the bread or the cup, or in performing the office of the public directors in the church; yet the bishops should have power, if they found them very diligent, humble, and meek, to grant them more or less of their office, as they judged convenient. Which shows, that a great deal in this whole matter was left to the bishop's discretion, to make the exercise of penance more or less severe, as well in the degrees of punishment, as in point of time, according to the disposition and behaviour of the repenting sinner.

Sect. 12. What the ancients mean by the term *legitima pœnitentia*.

And this explains to us a term or phrase, which often occurs in the writings of the ancients, especially in Cyprian,[87] and the council of Eliberis,[88] and where they require that penitents should perform *pœnitentiam legitimam, plenam, et justam*, a legal, full, and just penance. Some understand by this, that they should fulfil the whole term or time of penance prescribed by the canons; others, that they should not only fulfil the time, but regularly go through all the several degrees of penance, as mourners, hearers, prostrators, and co-standers, before they were received to communion. But neither of these hit the true meaning of this ancient phrase, which respects neither the time of penance, nor the orders of penitents, but the mind and qualifications of men acting sincerely and *bona fide* in their repentance; and expressing their hearty sorrow for sin by weeping, and mourning, and fasting, and almsdeeds, and charity, and an entire reformation; which are proper indications of a penitent mind, and such as might incline the bishop to show them some favour and indulgence, by shortening the time of their penance, notwithstanding which it might be called a just and full repentance, as Albaspinæus[89] rightly explains it.

Sect. 13. What meant by the phrase *inter hyemantes orare*.

There is one phrase more occurring in some of the ancient canons, which may need a little explication in this place, because it relates to the severity of the ancient discipline, which we are now considering. The council of Ancyra, speaking of those who commit uncleanness with beasts,[90] or draw others into the same sin, (being spiritual lepers, and infecting others with their contagion,) says, They shall pray with the χειμαζόμενοι, or *hyemantes;* which denotes some extraordinary punishment, but of what sort is not very easy to determine, because learned men are not well agreed what the word χειμαζόμενοι properly means. The old translators of the Greek canons commonly understand it of energumens or demoniacs, such as were vexed with unclean spirits, and as it were tossed by them in a tempest. Dionysius Exiguus renders it, *Qui spiritu periclitantur immundo*, vexed with an unclean spirit: the other translation of Isidorus Mercator has it, *Qui tempestate jactantur, qui a nobis energumeni intelliguntur*, those that are tossed in a tempest, by whom we understand energumens. And Martin Bracarensis, in his collection of the Greek canons,[91] renders it *dæmoniosos*, demoniacs. And that which gives some probability to this interpretation is, that the word χειμαζόμενοι is so used and expounded by many Greek writers. In the prayer for the whole state of the church, and all orders in it, related by the author of the Constitutions,[92] there is one petition, ὑπὲρ τῶν χειμαζομένων ὑπὸ τοῦ ἀλλοτρίου, for those who are tossed by the enemy, that is, energumens vexed with the evil spirit. And so Cyril[93] of Alexandria uses the same phrase for those that were possessed with a wicked spirit. As also the ancient commentators, Maximus[94] upon Dionysius, and Alexius Aristinus upon the canons,[95] and the modern Greeks in their Euchologium,[96] where there is a prayer for the χειμαζόμενοι ὑπὸ πνευμάτων ἀκαθάρτων, for those that are tossed or tormented with unclean spirits. Upon the credit of which authorities Bishop Beveridge concludes,[97] that praying among the χειμαζόμενοι, or *hyemantes*, in the council of Ancyra, denotes the penitents praying among the energumens, or those that were vexed with unclean spirits. And so Osiander, in his notes upon the council of Ancyra,[98] and Mr. Dodwel,[99] in his observations upon Cyprian, who thinks the word *clidomeni*, in one of Cyprian's epistles, is but a corruption from *clydonizomeni*, κλυδωνιζόμενοι, which is of the same import and signification with χειμαζόμενοι, denoting what the Latins call *maniaci* and *lymphatici*, persons possessed by an evil spirit, as he shows out of some passages of Amphilochius[100]

86 Conc. Ancyr. can. 2.

87 Cypr. Ep. 54. al. 57. ad Cornel. p. 116. Ep. 55. ad Antonian. p. 108.

88 Conc. Eliber. can. 3, 5, 14, 72, 76.

89 Albasp. Observat. lib. 2. cap. 30. It. Not. in Can. 3. Conc. Eliber.

90 Conc. Ancyr. can. 17. Τοὺς ἀλογευσαμένους καὶ λεπροὺς ὄντας, ἤτοι λεπρώσαντας, τούτους προσέταξεν ἡ ἁγία σύνοδος εἰς τοὺς χειμαζομένους εὔχεσθαι.

91 Martin. Bracar. Collect. Canonum, cap. 82. Oportet tales inter dæmoniosos orare, al. ordinare.

92 Constit. lib. 8. cap. 12.

93 Cyril. in Esai. xlii. p. 544. Χειμαζόμενοι ὑπὸ πνεύματος πονηροῦ.

94 Maxim. in Dionys. Hierarch. Eccles. cap. 6.

95 Alex. Aristin. in Can. 17. Conc. Ancyr.

96 Eucholog. Goar, p. 724.

97 Bevereg. Not. in Can. 11. Conc. Nic. n. 4. p. 72.

98 Collect. Canonum. Witebergæ. 1614. 4to.

99 Dodwel. Dissert. 1. in Cyprian. p. 4.

100 Amphiloch. Hom. de Pœnit. ap. Combefis, p. 97. Chrys. Orat. 1. ad Stagyrium.

and St. Chrysostom, which support his conjecture. Other learned men think the χειμαζόμενοι, or *hyemantes*, were such penitents as, for the monstrous greatness of their crimes, were not only expelled out of the communion of the church, but cast out of the very *atrium* or courts and porch of the church, and put to do penance in the open air, where they stood exposed to the inclemency of all weathers whatsoever. This opinion is embraced and defended by Albaspinæus,[101] Cardinal Bona,[102] and Suicerus.[103] And there is a passage in Tertullian, which makes this explication look very natural. For speaking of the ancient discipline, and distinguishing the degrees and malignity of heinous offences, he says, There were some impious[104] furies of lust, so far transgressing all the laws of nature, both with respect to bodies and sex, that they did not only expel them from the doors of the church, but from any covered place belonging to it, as being monsters rather than common vices. Either of these opinions, as having each their reasons and probability to support them, may be admitted. But the opinion of Balzamon here is little worth, who makes the *hyemantes* to be no more than the second class of penitents, called hearers: this does by no means show any special severity against such enormous sins, assigning them only a common punishment with the rest. But if we suppose those who were guilty of them, either to be ranked among demoniacs, or wholly to be kept out of the church, we have some proper idea of the church's severity against them; for which reason I have purposely mentioned it in this place, where we have been discoursing of the strictness and severity of the ancient discipline, which is the last thing considerable in the exercise of it, whilst men were under the bonds and fetters of excommunication. The next thing is to see how they were loosed from these bonds, when their penance was completed. And this brings us to the business of absolution, or the method of readmitting penitents into the communion of the church again; which must be the subject of the next Book.

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101 Albasp. Observ. in Can. 17. Conc. Ancyr.
102 Bona, Rer. Liturg. lib. 1. cap. 17. n. 5.
103 Suicer. Thesaur. Eccles. voce Χειμαζόμενοι.
104 Tertul. de Pudicit. cap. 4. Reliquas autem furias impias et in corpora et in sexus ultra jura naturæ, non modo limine, verum omni ecclesiæ tecto submovemus, quia non sunt delicta, sed monstra.

BOOK XIX.

OF ABSOLUTION, OR THE MANNER OF READMITTING PENITENTS INTO THE COMMUNION OF THE CHURCH AGAIN.

CHAPTER I.

OF THE NATURE OF ABSOLUTION, AND THE SEVERAL SORTS OF IT; MORE PARTICULARLY OF SUCH AS RELATE TO THE PENITENTIAL DISCIPLINE OF THE CHURCH.

Sect. 1. All church absolution only ministerial, not absolute.

Having hitherto seen the exercise of penitential discipline in all the several parts of it, as it related to sinners under the bonds of excommunication, we are now to consider it under another view, as it denotes their absolution from those bonds by the power of the keys, and the method of restoring or readmitting penitents, when their penance was completed, to the communion of the church again. And here first of all we are to observe, that the ancients challenged no power in this matter but that which was purely ministerial; leaving the absolute, sovereign, independent, and irreversible power only to God. Of which I need give no other proof at present but only this, that they constantly made it an argument for our Saviour's Divinity, that he had the sovereign power of forgiving sins; which argument could have signified nothing, had men been equal sharers in this power with him. Thus Irenæus argues against some of the heretics in his own time: "Our Saviour," says he,[1] "in forgiving sins both cured the man, and manifestly declared who he himself was. For if none can forgive sins but God alone, and our Lord did forgive them, and cure men; it is manifest, that he was the Word of God, made the Son of man: and as he was man, he suffered with us and for us; as he is God, he shows mercy to us, and forgives us our debts, which we owe to God our Maker." The same argument is urged by Tertullian in his books against Marcion;[2] and by Novatian against the Ebionites;[3] and Athanasius against the Arians.[4] St. Basil[5] also uses it, as one of his strongest weapons against Eunomius; and the like is done by St. Hilary,[6] and St. Chrysostom,[7] and St. Jerom,[8] and Victor of Antioch,[9] and Cyril of Alexandria,[10] who all argue for our Saviour's Divinity from this topic, that he had sovereign and absolute power upon earth to forgive sins. And St. Ambrose uses the same argument against the Macedonians, to prove the Divinity of the Holy Ghost.[11] I produce none of these testimonies at large here, both because they all speak the same thing, and are already produced in an excellent book of Bishop Usher's,[12] which is common in every reader's hands: where he also shows further the general agreement of the ancients in this assertion, That none can forgive sins but God only, that is, with an absolute and sovereign power; and therefore the power of absolution in the church is purely ministerial, and consists in the due exercise and application of those means, in the ordinary use of which God is pleased to remit sins; using the ministry of his servants, as stewards of his mysteries, in the external dispensation of them; but himself conferring the internal grace or gift of remission by the operation of his Spirit only upon the worthy receivers. These mysteries or means of grace, in the external dispensation of which the church is concerned, and in the ordinary use of them remission of sins is conveyed, are usually by the ancients reckoned up under these five heads: 1. The absolution or great indulgence of baptism. 2. The absolution of the eucharist.

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[1] Iren. lib. 5. cap. 17. Peccata igitur remittens, hominem quidem curavit, semetipsum autem manifeste ostendit, quis esset. Si enim nemo potest remittere peccata nisi solus Deus; remittebat autem hæc Dominus, et curabat homines: manifestum est, quoniam ipse erat Verbum Dei, Filius hominis factus——Et quomodo homo compassus est nobis, tanquam Deus misereatur nostri, &c.

[2] Tertul. cont. Marcion. lib. 4. cap. 10.

[3] Novat. de Trinit. cap. 13.

[4] Athan. Orat. 3. cont. Arianos. Orat. 4. cont. Ar. It. Epist. de Synodis.

[5] Basil. cont. Eunom. lib. 5.

[6] Hilar. Com. in Mat. viii.

[7] Chrys. Hom. 29. in Mat. [8] Hieron. Com. in Mat. ix.

[9] Victor. in Marc. ii.

[10] Cyril. Thesaur. lib. 12. cap. 4. Item de recta fide ad reginas.

[11] Ambros. de Spir. Sancto, lib. 3. cap. 19. Vid. Aug. Hom. 23. ex 50. c. 7.

[12] Usher, Answer to the Jesuit's Challenge, p. 79, &c.

3. The absolution of the word and doctrine. 4. The absolution of imposition of hands and prayer. 5. The absolution of reconcilement to the church and her communion by a relaxation of her censures. The two first may be called sacramental absolution; the third, declaratory absolution; the fourth, precatory absolution; the fifth, judicial absolution; and all of them authoritative, so far as they are done by the ministerial authority and commission which Christ has given to his church, to reconcile men to God by the exercise of such acts and means, as conduce to that end in a subordinate and ministerial way, according to his appointment.

Sect. 2. Of the grand absolution of baptism. That this was of no use in penitential discipline to persons once baptized.

But then all these sorts of absolution were not reckoned of equal concern in penitential discipline. For though baptism was always esteemed the most universal absolution, and grand indulgence in the ministry of the church; as conveying a general pardon of sins to every true member of Christ, when he first entered into his mystical body by the laver of regeneration; yet this had no place in the exercise of penitential discipline. For no penitent was ever reconciled to the communion of the church (after any lapse, or censure, or penance done for it) by a second baptism. And yet the stewards of Christ's mysteries were always supposed to have the ministerial power of conveying remission of sins to men by the administration of baptism: and so far as they were intrusted with the administration of it, so far they had power to bind or loose; to admit the worthy into the church, or keep the unworthy out of it; that is, in the ministerial way, to remit men's sins by admitting them to baptism, or retain their sins by keeping them from it, according to the rules of Christ's institution and appointment. The ancients upon this account commonly give baptism the name of indulgence, or remission of sins, or the sacrament of remission, as I have had occasion to show out of the council of Carthage [13] under Cyprian, and one of the Roman councils mentioned by Cotelerius,[14] and St. Austin,[15] in a former Book,[16] where we treat more expressly of baptism. It is also observable, that the ancients commonly deduce this ministerial power of remitting sins in baptism from the same text upon which the power of all other absolutions is founded, viz. John xx. 23, "Whose soever sins ye remit, they are remitted unto them; and whose soever sins ye retain, they are retained." They say, this commission is executed by the ministers of Christ, as well in conferring baptism, as in reconciling of penitents, or any other way of ministerial absolution. Cyprian argues upon this foot against the baptism of heretics and schismatics, that baptism given by them is of no benefit to the receiver, because they are not of the number of those to whom Christ gave commission to remit sins, as not being endued with the Holy Spirit. "Seeing," says he,[17] "that remission of sins is granted to every man in baptism, the Lord in his gospel declares and proves, that sins can only be remitted by them who have the Holy Spirit. For after his resurrection, when he sent forth his disciples, he said unto them, 'As my Father sent me, so send I you. And when he had said this, he breathed on them, saying, Receive ye the Holy Ghost. Whose soever sins ye remit, they are remitted unto them; and whose soever sins ye retain, they are retained.' In which place he shows, that they only can baptize, and grant remission of sins, who have the Holy Ghost." So again in another epistle:[18] "It is manifest both where and by whom that remission of sins is granted, which is granted in baptism. For the Lord first gave that power to Peter, that whatsoever he loosed on earth, should be loosed in heaven. And after his resurrection he said to his disciples, 'Whose soever sins ye remit, they are remitted unto them; and whose soever sins ye retain, they are retained.' Whence we understand, that no other have power to baptize, and grant remission of sins, but they who are made rulers in the church by the evangelical law and ordinance of the Lord." Firmilian also follows Cyprian [19] in the same argument, proving from the same texts, that heretics have no power to remit sins in baptism, because they are not in the church, nor of the number of those to whom Christ gave that commission. Neither was it only Cyprian and Firmilian that thus asserted the power of remitting sins in baptism to belong to the ministers of Christ, but generally all other interpreters. Cyril of Alexandria,[20] expounding those words of

[13] Conc. Carth. ap. Cypr. n. 10. p. 234.

[14] Conc. Rom. ap. Coteler. in Constitut. Apost. lib. 3. cap. 9. [15] Aug. de Bapt. lib. 5. cap. 21.

[16] Book XI. chap. 1. sect. 2.

[17] Cypr. Ep. 76. al. 69. ad Magnum, p. 185. Cum in baptismo unicuique peccata sua remittuntur, probat et declarat in suo evangelio Dominus, per eos solos posse peccata dimitti, qui habeant Spiritum Sanctum. Post resurrectionem enim discipulos suos mittens, loquitur ad eos et dicit, Sicut misit me Pater, et ego mitto vos. Hoc cum dixisset, insufflavit et ait illis, Accipite Spiritum Sanctum. Si cujus remiseritis peccata, remittentur illi: si cujus tenueritis, tenebuntur. Quo in loco ostendit, eum solum posse baptizare, et remissionem peccatorum dare, qui habeat Spiritum Sanctum.

[18] Id. Ep. 73. ad Jubaian. p. 201. Manifestum est autem, ubi et per quos remissa peccatorum dari possit, quæ in baptismo scilicet datur. Nam Petro primum Dominus—— potestatem istam dedit, ut id solveretur in cœlis, quod ille solvisset in terris. Et post resurrectionem quoque ad apostolos loquitur, dicens, Sicut misit me Pater, &c. Unde intelligimus, non nisi in ecclesia præpositis, et in evangelica lege et Dominica ordinatione fundatis, licere baptizare, et remissam peccatorum dare.

[19] Firmil. Ep. 75. ap. Cypr. p. 225.

[20] Cyril. lib. 12. in Joan. xx. 23. t. 4. p. 1101.

our Saviour, "Whose soever sins ye remit," &c., says, "Spiritual men remit or retain sins, as I conceive, two ways. For either they call those to baptism, who are worthy of it upon the account of a good life and approved faith, or else they forbid and repel those from the Divine gift, who are unworthy of it. This is one way of remitting or retaining sin. Another way is, when they punish and correct the children of the church offending, and pardon them again upon their repentance: as Paul delivered the Corinthian over to the destruction of the flesh, that the spirit might be saved; and afterward received him, that he might not be swallowed up of over-much sorrow." St. Ambrose in like manner ascribes the power of remitting sins to the administration of baptism, as well as penance: and upon this ground[21] he asks the Novatians, "Why do ye baptize, if sins cannot be remitted by the ministry of man? What is the difference, whether priests assume this power as given to them in the exercise of penance, or the administration of baptism?" Gaudentius[22] says, "It is this key of the sacraments that opens the gate of the kingdom of heaven." Consequently he must mean also, that so far as ministers are instrumental in conferring the sacrament of baptism, so far they are instrumental in procuring men that remission of sins which attends it. And for this reason Chrysostom magnifies the sacerdotal office upon a double account, because the priests[23] have power to remit sins, both when they regenerate us, and afterwards; that is, both by baptism and penance, when they first admit men into the church, and readmit or reconcile them after any great transgression. But I mention this, not so much to explain the penitential discipline of the church, (in which baptismal absolution has no concern,) as to remark a few other necessary things. As, first, that sacerdotal absolution in general extends much further than is commonly apprehended; for it includes the whole transaction of baptism, whereby remission of sins is ministerially granted to every true member of Christ, when he is first admitted into his church. Whence it follows, secondly, that sacerdotal absolution does not necessarily require any particular or auricular confession of private sins; forasmuch as that the grand absolution of baptism was commonly given without any particular confession. And therefore the Romanists vainly found the necessity of auricular confession upon those words of our Saviour, "Whose soever sins ye remit, they are remitted unto them:" as if there could be no absolution without particular confession; when it is so plain, that the great absolution of baptism (the power of which is founded by the ancients upon this very place) required no such particular confession. Thirdly, We may hence infer, that the power of any sacerdotal absolution is only ministerial; because the administration of baptism, (which is the most universal absolution,) so far as man is concerned in it, is no more than ministerial. All the office and power of man in it is only to minister the external form, but the internal power and grace of remission of sins is properly God's: and so it is in all other sorts of absolution. Therefore, though baptismal absolution be no part of penitential discipline, yet, by observing these things in it, we shall more easily discern the true nature of those other absolutions, which have some relation to the penitential discipline of the church.

Sect. 3. Of the absolution granted by the eucharist.

The first of these (though we may call it the second in the general consideration of absolutions) was the absolution that was given by the ministry of the eucharist. This had some relation to penitential discipline, but did not solely belong to it. For it was given to all baptized persons, who never fell under penitential discipline, as well as those who lapsed, and were restored to communion again. And in both respects it was called the *τὸ τέλειον*, the perfection or consummation of a Christian; there being no higher mystery that an ordinary Christian could partake of. To those who never fell into such great sins as required a public penance, it was an absolution from lesser sins, which were called venial, and sins of daily incursion; and to penitents, who had lapsed, it was an absolution from those greater sins, for which they were fallen under censure. That it was esteemed such a general absolution in both cases, we learn from the characters which the ancients give of it, both at large, and with a particular respect to its loosing the bonds of excommunication. Cyprian[24] says, in general, "That when we drink the blood of the Lord, and the cup of salvation, we put off the remembrance of the old man, and forget our former secular conversation; and our sorrowful and heavy heart, which before was pressed with the anguish of our sins, is now absolved or set at liberty by the joyfulness of the Divine indulgence or pardon." And more particularly, that

[21] Ambros. de Pœnitent. lib. 1. cap. 7. t. 1. p. 157. Cur baptizatis, si per hominem peccata dimitti non licet? Quid interest, utrum per pœnitentiam, an per lavacrum hoc jus sibi datum sacerdotes vendicent?

[22] Gaudent. Tract. 16. Die Ordinat. Suæ, Bibl. Patr. t. 2. p. 59. Janua quippe regni cœlorum non nisi hoc sacramentorum spirituali clave reseratur.

[23] Chrys. de Sacerdot. lib. 3. cap. 6. *Οὐ γὰρ ὅτ' ἂν ἡμᾶς ἀναγεννῶσι μόνον, ἀλλὰ καὶ τὰ μετὰ ταῦτα συγχωρεῖν ἔχουσιν ἐξουσίαν ἁμαρτήματα.*

[24] Cypr. Ep. 63. ad Cæcilium, p. 153. Epoto sanguine Domini, et poculo salutari, exponitur memoria veteris hominis, et fit oblivio conversationis pristinæ sæcularis; et mœstum pectus ac triste, quod prius peccatis angentibus premebatur, divinæ indulgentiæ lætitia resolvitur.

it was esteemed an absolution, as it resolved the bonds of excommunication, without any other formality or ceremony of receiving the penitent into the communion of the church, we learn from that order made in the first council of Orange,[25] That such penitents as are ready to leave the body, shall have the communion without the reconciliatory imposition of hands (which, as we shall see by and by, was the usual and ordinary ceremony in reconciling penitents publicly at the altar, and what these were to have afterwards, if they happened to survive). In the mean time this sort of communion, the eucharist taken without imposition of hands, was sufficient for the consolation or reconciliation of a dying person, according to the decrees of the fathers, who congruously call this sort of communion their *viaticum*, or provision for their journey. The fourth council of Carthage has two canons implying the same thing. The first says,[26] If a penitent is struck dumb in his sickness, and is thought to be at the point of death, he shall be reconciled both by imposition of hands, and by the eucharist put into his mouth. And the other[27] grants the eucharist as an absolution by itself to penitents in sickness, if they chance to die; only providing, that in case they recover, they shall not hold themselves absolved without imposition of hands also: because in case they survived, they were obliged to perform the residue of their penance, which they should have done before, and then be reconciled by imposition of hands publicly at the altar; but if they died, the eucharist alone was a sufficient absolution for them. And this is confirmed by that memorable story related by Eusebius,[28] out of an epistle of Dionysius, bishop of Alexandria, concerning one Serapion, an aged man, who had led a virtuous life, but happened at last to lapse into idolatry in time of persecution. He had often sued for pardon, but no one would hearken to him, because he had sacrificed to idols. Afterward falling sick, he sent for one of the presbyters to come and absolve him in the night. The presbyter himself was sick, and could not go to him: but because the bishop had given in charge, that absolution should be granted to all that were at the point of death, if they desired it, and especially if they had earnestly desired it before, that they might have hope and consolation in their last minutes, when they were about to leave the world; the presbyter sent him a little portion of the eucharist by the boy that came for him, bidding him to dip it in liquor, and put it into his mouth. Which he did, and presently the man expired. Upon which Dionysius himself makes this remark: That it was apparent, that God preserved him, and continued him so long in life, till he might be absolved, and have his sins blotted out, and be owned by Christ for the many good deeds he had done. I need make no other reflection upon the story, since Dionysius tells us so plainly, that to minister the eucharist to men was to grant them absolution, and remission of sins, and peace and favour with Christ, when it was given in his name to worthy receivers. And thus it was, that the ministers of Christ, as his ambassadors, were always supposed to have the ministerial power to remit sins, and reconcile penitents to Christ, by this sacramental absolution.

Sect. 4. Of absolution declaratory and effective by the administration of the word and doctrine.

The third sort of absolution is that of the word and doctrine, which is partly declarative, and partly operative and effective; and is of use both in penitential discipline, and out of it. For the ministers of Christ, as his ambassadors, have commission and authority to make a general and public declaration of the terms of reconciliation and salvation to men. And this is also ministerially operative in working faith and repentance in men's souls, which are the terms of salvation, whereby they obtain remission of sins. For faith comes by hearing, and hearing by the word of God. They have also power to declare to men in particular, that they are in a salvable state, when, upon the best human judgment that they can make, they apprehend and discern in them the necessary conditions of salvation. This is that key of knowledge, whereby they open to men the gate of heaven, and the way to eternal life, procuring for them the remission of sins, and all the benefits of the gospel covenant. It is this that introduces men at first into God's favour, and ascertains them of it; and when they are fallen from that state by wilful sin, it is a means, as a part of the church's penitential discipline, to reduce them back again to their forfeited estate and primitive condition. Upon which account hearing of the word of God, as we have seen before, was always one station of penitents in the church, and was an initiatory sort of reconcilement of them to God, introductory to the great and last reconcilement at the altar. And in this sense, the ancients say, Christ gave his disciples power to remit sins. "Every man," says St. Jerom,[29] "is bound in the cords of his

[25] Conc. Arausican. can. 3. Qui recedunt de corpore, accepta pœnitentia, placuit, sine reconciliatoria manus impositione eos communicare, quod morientis sufficit consolationi, al. reconciliationi, secundum definitiones patrum, qui hujusmodi communionem congruenter viaticum nominaverunt.

[26] Conc. Carth. 4. can. 76. Si continuo creditur moriturus, reconcilietur per manus impositionem, et infundatur ori ejus eucharistia.

[27] Ibid. can. 78. Pœnitentes, qui in infirmitate viaticum eucharistiæ acceperint, non se credunt absolutos sine manus impositione, si supervixerint.

[28] Euseb. lib. 6. cap. 44.

[29] Hieron. in Esai. xiv. 17. Funibus peccatorum suorum unusquisque constringitur: quos funes atque vincula solvere possunt et apostoli, imitantes magistrum suum, qui eis dixerat, Quæcunque solveritis super terram, erunt soluta et in

own sins: which cords and bonds the apostles have power to loose, imitating their Master, who said unto them, 'Whatsoever ye loose upon earth, shall be loosed in heaven.' Now, the apostles loose them by the word of God, and testimonies of Scripture, and exhortation unto virtues." In like manner St. Ambrose[30] says, Sins are remitted by the word of God, whereof the Levite is the interpreter, and a sort of executor: and in this respect the Levite is the minister of remission. It is this key of the word, says Maximus Taurinensis,[31] which opens the conscience to confession of sins, and includes therein the grace of the mystery of salvation unto eternity. Thus ministers are said to be instrumental in reconciling men to God, and procuring them remission of sins, because to them is committed the word of reconciliation.

Sect. 5. Of the precatory absolution given by imposition of hands and prayer.

The fourth sort of absolution was that of intercession and prayer, which was used as a concomitant of most other absolutions. For baptism and the eucharist were either administered in a precatory form, or at least prayers and intercessions for pardon of sins always attended them; and so they did also the great and solemn reconciliation of penitents at the altar. And to prayer they commonly joined imposition of hands, a rite and ceremony of benediction that was used in all offices of religion. By this, persons were at first admitted to the state of catechumens, and by this trained up in their preparation for baptism. By this, persons were confirmed in the close of baptism. By this, ordinations were given to the clergy, and benedictions to all the people. And Albaspinæus[32] has observed, that in the course of public penance this ceremony was at least four times used towards all that went through it, before they were completely reconciled and admitted to full communion. 1. They were admitted to penance by imposition of hands. 2. They had frequent imposition of hands whilst they were penitents in the order of kneelers or prostrators. 3. They were admitted to the lower degree of communion in prayers only without the oblation by the same rite. 4. And, lastly, imposition of hands was one of the solemn rites of admitting them to the more perfect degree of reconciliation at the altar. Now, though prayer and imposition of hands was not esteemed an absolution in all these cases, yet in many of them it certainly was. For Chrysostom, speaking of the several powers of the sacerdotal office, and the methods of expiating sin, says, "The priests do it not only by their doctrine and admonition, but also by the assistance[33] of their prayers; they have power of remitting sins, not only when they regenerate us in baptism, but afterwards. For St. James says, 'Is any sick among you? Let him call for the elders of the church, and let them pray over him, anointing him with oil in the name of the Lord: and the prayer of faith shall save the sick, and the Lord shall raise him up; and if he have committed sins, they shall be forgiven him.'" Pope Leo, after the same manner, makes sacerdotal absolution to consist in prayer. "The assistances of Divine goodness," says he,[34] "are so ordained, that the Divine indulgence is not to be obtained but by the supplications of the priests. And it is very useful and necessary that the guilt of sin should be loosed by the supplications of the priests before the last day." Here remission of sins is plainly ascribed to the efficacy of intercession and prayer. St. Austin[35] says the prayers of holy men in the church procure remission of sins both in baptism and penance; for he argues thus: If the prayers of holy men in the church procure remission of sins for those who are baptized not by the dove, but by the hawk, (that is, not by good, but wicked men,) if they come to that sacrament in the peace of catholic unity; why should not the prayers of the same men loose the sins of those who return from heresy or schism to catholic unity? He adds,[36] a little after, that the prayers of the saints (that is, the mournings of the dove) grant remission of sins to those that are baptized in the peace of the church, whatever the person be that administers baptism, whether he be a covetous man or an extortioner, because he only acts in the person of the church, by whose prayers remission of sins is obtained. Therefore he exhorts the Donatists in another[37] place, to return to the peace of the church, where, by the joint prayers of two people united,

cœlo. Solvunt autem eos apostoli sermone Dei, et testimoniis Scripturarum, et exhortatione virtutum.

[30] Ambros. de Abel et Cain, lib. 2. cap. 4. Remittuntur peccata per Dei verbum, cujus Levites interpres, et quidam executor.——Levites igitur minister remissionis est.

[31] Maxim. Taurin. Hom. 5. de Natali Petri et Pauli, p. 231. Clavis quæ et conscientiam ad confessionem peccati aperit, et gratiam ad æternitatem mysterii salutaris includit.

[32] Albasp. Observ. lib. 2. cap. 31.

[33] Chrys. de Sacerdot. lib. 3. cap. 6. t. 4. p. 35.

[34] Leo, Ep. 89. al. 91. ad Theodor. Sic divinæ bonitatis præsidiis ordinatis, ut indulgentia Dei, nisi supplicationibus sacerdotum, nequeat obtineri.——Item, multum utile ac necessarium est, ut peccatorum reatus ante ultimum diem sacerdotali supplicatione solvatur.

[35] Aug. de Bapt. lib. 3. cap. 17. An forte per orationes sanctorum spiritalium, &c., eorum etiam peccata solvantur, qui non per columbam, sed per accipitrem baptizantur, si ad illud sacramentum cum pace catholicæ unitatis accedunt? Quod si ita est, cur non ergo per eorum orationes, cum quisque ab hæresi aut schismate ad pacem catholicam venit, ejus peccata solvuntur?

[36] Ibid. cap. 18. Remissam tamen peccatorum non dabant, (raptores et avari,) quæ per orationes sanctorum, id est, per columbæ gemitus datur, quicunque baptizet, si ad ejus pacem pertinent illi quibus datur.

[37] Ibid. lib. 2. cap. 13. Multum valet ad propitiandum Deum fraterna concordia. Si duobus ex vobis, ait Dominus, convenerit in terra, quicquid petieretis, fiet vobis. Si duobus hominibus, quanto magis duobus populis? Simul

they might obtain remission of sins. For the Lord had said, "If two of you shall agree on earth as touching any thing that they shall ask, it shall be done for them of my Father which is in heaven." If for two men, how much more for two people! Therefore let us jointly fall down to supplicate the Lord: do you partake with us in unity, and let us partake with you in sorrow, that charity may cover the multitude of sins. Here, again, we see, remission of sins is ascribed to prayer. And so Cyprian understood it, when he thus addressed himself to those that had lapsed into idolatry:[38] "We pray you to repent, that we may be able to pray to God for you: we first turn our prayers to you, that we may turn the same to God, and beseech him to have compassion on you." Eusebius,[39] after Clemens Alexandrinus, notes this to have been the method whereby St. John obtained pardon of Christ for the young man, who, after a pious education in the church, was become a most notorious robber upon the mountains: he interceded with Christ by frequent prayers and fastings, and thereby restored him, a great example of repentance, to the church. And thus Tertullian,[40] whilst he was a catholic, represents Christ as joining his intercession with the tears of the church, and thereby obtaining pardon for the penitent sinner. The first council of Orange[41] appoints this to be the way of reconciling heretics, who desire to become catholics at the point of death: If the bishop was not at hand, the presbyters were to consign them with chrism, and the benediction: which benediction was the same as imposition of hands and prayer. For as imposition of hands by a figure always implies prayer, with imposition of hands, as an outward sign or ceremony accompanying prayer; so both these together are what the ancients always mean by a benediction. So that when the council bids those who are baptized in heresy, to be reconciled to the church, or absolved by a benediction, it is plain, that prayer is understood as the proper means of their absolution. And it is the same thing as is ordered in other canons,[42] that heretics so baptized should be received into communion by chrism and imposition of hands, that is, unction to consign or confirm them with the Spirit, (which was wanting in their heretical baptism,) and prayer with imposition of hands, to give them the peace and communion of the church. Of which way of reconciling and absolving penitent heretics, who were baptized out of the church, we shall have occasion to discourse a little more distinctly hereafter. Here I only add further the testimony of St. Ambrose,[43] who says, The priests execute that commission which is given by Christ, John xx. 23, for remitting of sins, as intercessors by their prayers. They make request, but God bestows the gift: the service is human, but the bounty (of forgiveness) is from the power above. So that if this be not the only way, whereby the ministers of Christ are empowered to remit sins, as some of the schoolmen themselves have determined; yet it was certainly one way, and that of general use in the primitive church, as is clearly evident from the present allegations, and will be made more apparent in the sequel of this discourse.

Sect. 6. Of the judicial absolution of penitents, by restoring them finally to the peace and full communion of the church.

For prayer had a considerable share in the great and final absolution of penitents, when, after they had performed their canonical penance, they were solemnly reconciled and received to the peace and perfect communion of the church at the altar. This was that famous way of remitting sins, and absolving sinners, of which we read so much in the monuments of the fathers and councils, where they speak of penitential discipline and absolution of sinners. This is what is generally meant by those ancient phrases, granting them peace, restoring them to communion, reconciling them to the church, loosing their bonds, granting them pardon and indulgence, and remitting their sins, which are but so many different ways of expressing this one thing, viz. the solemn manner of absolving public penitents and admitting them to full communion, when their canonical penance was regularly performed. And this comprehended all the other ways of absolution, except that of baptismal absolution. For, as I noted before, no penitent that had once been regularly baptized, was ever admitted to communion by a second baptism; but they had the absolution of prayer and imposition of hands, and the absolution of the eucharist, and the declaratory absolution of the word and doctrine: for solemn prayer was made to God for them, to procure their absolution from him; and the solemn

nos Domino prosternamus, participamini nobiscum unitatem, participemur vobiscum dolorem, et charitas cooperiat multitudinem peccatorum.

[38] Cypr. de Lapsis, p. 136. Rogamus vos, ut pro vobis Deum rogare possimus. Preces ipsas ad vos prius vertimus, quibus Deum pro vobis, ut misereatur, oramus.

[39] Euseb. lib. 3. cap. 23. Δαψιλέσι μὲν εὐχαῖς ἐξαιτούμενος, κ.τ.λ. Ex Clem. Alex. Tract. Quis Dives salvetur?

[40] Tertul. de Pœnit. cap. 10. Æque illi cum super te lacrymas agunt, Christus patitur, Christus Patrem deprecatur. Facile impetratur semper, quod Filius postulat.

[41] Conc. Arausican. can. 2. Hæreticos in mortis discrimine positos, si catholici esse desiderent, si desit episcopus, a presbyteris cum chrismate et benedictione consignari placet.

[42] Conc. Arelat. 2. can. 17. Bonosiacos, quos baptizari in Trinitate manifestum est—cum chrismate et manus impositione recipi sufficit. Leo, Ep. 92. ad Rusticum, cap. 16. Per manus impositionem, invocata virtute Spiritus Sancti, quam ab hæreticis accipere non potuerunt, catholicis copulandi sunt. Vid. Siricium, Ep. 1. ad Himerium, cap. 1. Innocent. Ep. 2. ad Victricium, cap. 8. Ep. 18. ad Alexandr. cap. 3. Ep. 22. cap. 4.

[43] Ambros. de Spir. Sancto, lib. 3. cap. 19. Isti rogant, divinitas donat, &c.

imposition of hands was given them to signify their reconciliation; and the eucharist was immediately given them, to restore them to the communion of the altar; and by the whole a declaration was made, that they were now again in the society and peace of the church, and in favour with God, as far as human understanding could make any judgment of them. And upon this account, some ancient writers acknowledge no other sorts of absolution but only two; the baptismal absolution, which is antecedent to all penitential discipline; and this of reconciling public penitents to the communion of the altar; because this latter comprehends all the other ways of absolution in the several acts and ceremonies that were used in the conferring of it. Thus we have heard before Cyril of Alexandria[44] expounding those words of the commission, John xx. 23, "Whose soever sins ye remit, they are remitted unto them." Spiritual men remit or retain sins two ways: for either they call those to baptism, who are worthy of it upon the account of a good life and approved faith; or else they forbid and repel those from the Divine gift, who are unworthy of it. This is one way of remitting or retaining sins: the other way is, when they correct and punish the children of the church offending, and pardon them again upon their repentance. Now, because the ministers of Christ are in a great measure the proper judges of men's qualifications both for baptism and the eucharist, therefore a great power and authority was allowed them in both these cases to examine into men's behaviour and faith, and to judge who were fit and who were not fit for the reception of them; and accordingly to minister or not minister to them those mysteries, which were the means of conveying remission of sins to the worthy receiver; and so they were invested with a sort of absolute judicial authority in the external administration of these things with respect to the outward communion of the church, though not with an absolute authority over the conscience in respect to God, who alone can properly remit sin and absolve the sinner. So they acted in a double capacity in these matters; as judges in respect of men's visible qualifications for the sacraments, and the proper time and season of admitting them to the participation of them; having power to shorten or prolong the time, as they judged of the negligence or proficiency of the petitioning parties: but they acted only as intercessors to God for them, as to any thing pertaining directly and properly to the purification of the conscience from sin, which is not in man's power, but only in a ministerial way, to do those things which, as means of grace, may contribute towards obtaining a proper absolution and remission of sins from God, in whose power only is the absolute power of forgiving sins. This is the true state of the matter, as to what concerns the several sorts of absolution in use in the ancient church, and particularly that absolution which was given to public penitents upon their restoration to communion; the manner and ceremonies of which, with other incident circumstances, I shall now go on a little further to explain.

CHAPTER II.

OF THE CUSTOMS, RITES, AND CIRCUMSTANCES ANCIENTLY OBSERVED IN THE PUBLIC ABSOLUTION OF SINNERS.

Sect. 1. No sinners anciently absolved, till they had performed their regular penance, except in case of imminent death.

WHEN sinners had performed their regular penance, and carefully gone through the several stages of discipline appointed for the distinct orders of penitents in the church, they were then admitted to complete and perfect communion by the great and last reconciliatory absolution. But this was anciently granted to none before they had orderly completed the full term of their penance, unless it was in case of imminent death, when their desperate case made it reasonable to treat them a little more favourably, and grant them an indulgence, which no consideration but that extraordinary exigence could procure them. Indulgences were not then bought and sold, as they were most shamefully in after ages: much less was bare confession sufficient to gain a man absolution, before he had done a formal and serious penance to the satisfaction of the church. The Audian heretics indeed were very faulty in this matter, as Theodoret informs us;[1] for they not only assumed to themselves a despotic authority, like the Donatists, to pardon sins by their own power; but also hastily granted remission upon a bare confession, without staying for any fruits of repentance, or prescribing any time for the public manifestation of them, as the laws of the church always required. And there were some presbyters of the church in Cyprian's time, who, for favour or filthy lucre, were much inclined to admit lapsers, without any just penance done, in a very hasty and preposterous manner, to communion. And the martyrs, by their artifices and frauds, were many times induced to intercede to the bishops for such sinners, and almost demand of them an immediate readmission of the offenders. But Cyprian very sharply remonstrates against this usurpation and abuse, in several letters written both to the clergy, and the martyrs, and

[44] Cyril. lib 12. in Joan. xx. 23. See before, sect. 2.

[1] Theod. de Fabulis Hæret. lib. 4. cap. 13.

the people themselves,[2] wherein he sets forth both the irregularity and the danger of the practice; telling the people particularly, that this indulgent facility in the clergy to grant them such a preposterous peace, did not really give them peace, but destroy it; nor grant them true communion, but only hinder their salvation. And St. Ambrose[3] makes a like reflection on the vanity of those who seek for such a sudden restoration: Some men, says he, desire to be admitted to penance only for this reason, that they may presently receive the communion again. These men do not so much desire to be absolved themselves, as to bind the priest: for they retain their evil conscience; and therefore the priest sins greatly in admitting men, who give no signs of repentance, to communion against the laws of the church. There was one case, indeed, in which men might be reconciled privately, when they had not perfectly gone through their whole course of penance; which was, when they lay sick and despaired of upon a death-bed: but that was an extraordinary case, and the only exception that the general rule admitted of; and was only a private, and not a solemn and public reconciliation: and even in that case, as I have showed before,[4] the canons provided, that, if the sick man recovered, he should perform the residue of his penance in the regular course appointed for public penitents, before he was solemnly reconciled at the altar. So that the custom of absolving sinners in health before any penance is done must be determined to be not only a novelty, but a great abuse and corruption of the ancient discipline, wholly owing to the degeneracy of latter ages.

Sect. 2. Penitents publicly reconciled in sackcloth at the altar.

As to the manner of the ancient reconciliation, it was usually thus performed. When a sinner had gone through the course of his penance, he was brought to the altar in the same habit that he had performed his penance, that is, in sackcloth, and there with solemn prayers, and tears, and imposition of hands received to full communion. The circumstance of sackcloth is mentioned by the first council of Toledo;[5] and the place of reconciliation said to be the altar, not only by that council, but by Optatus,[6] who, speaking to the Donatists, and of their way of reconciling penitents, (which was the same as was used in the catholic church,) he tells them, that at the same time that they laid hands on sinners, and remitted their sins, they turned to the altar, and said the Lord's prayer. And so St. Jerom[7] says, The bishop enjoins the people common prayer, when he reconciles any one, who had been delivered over unto Satan, to or at the altar.

Sect. 3. Sometimes more publicly before the *apsis* or reading-desk.

Yet in some cases, when the crime was very public, and more than ordinarily notorious and scandalous to all the people, the criminal, for example's sake, received his absolution in a more public place, before the *apsis* or reading-desk, in the open body of the church, and in the view of all the people. This we learn from a canon of the third council of Carthage[8] inserted into the African Code, which says, That if any penitent's crime be public, or vulgarly known to all, so as to have given scandal to the whole church, he shall receive imposition of hands, that is, his absolution, before the *apsis*. Learned men indeed are not exactly agreed about the sense of this canon: Du Fresne,[9] after Balsamon and Zonaras, takes the *apsis* for the church porch; and Zonaras says, the imposition of hands means the first imposition that admitted them to penance. Albaspinæus[10] thinks the *apsis* means the same as the *ambo* or reading-desk; where the penitents of the third class, called the substrators, kneeled down daily to receive imposition of hands; and to this he thinks the imposition of hands mentioned in the foresaid canon chiefly relates, but with this difference, that whereas ordinary penitents received their imposition of hands a little more privately behind the desk, these more notorious and scandalous criminals, which the canon speaks of, received it publicly before the desk, in the face and view of all the people. He also is of opinion, that their final absolution was given them in the same place; and that I take to be the true meaning of the imposition of hands in the canon now before us.

Sect. 4. Absolution at the altar always given in a supplicatory form, by imposition of hands and prayer.

However, it is certain, whatever the sense of that canon be, that the great and final absolution of public penitents was always performed in a supplicatory form, by imposition of hands and prayer. This is evident from the forementioned testimonies of Optatus and St. Jerom. Cyprian speaks often of it, as used both in public and private reconciliation. In one place he says, All penitents[11] continued a

[2] Cypr. Ep. 10. al. 16. ad Cler. p. 37. Ep. 11. al. 15. ad Martyr. p. 34. It. de Lapsis, p. 128.

[3] Ambros. de Pœnit. lib. 2. cap. 9. Nonnulli ideo poscunt pœnitentiam, ut statim sibi reddi communionem velint. Hi non tam se solvere cupiunt, quam sacerdotem ligare, &c.

[4] Book XVIII. chap. 4. sect. 2.

[5] Conc. Tolet. 1. can. 2. Publicam pœnitentiam gerens sub cilicio, divino reconciliatus altario.

[6] Optat. lib. 2. p. 57. Inter vicina momenta, dum manus imponitis, et delicta donatis, mox ad altare conversi, Dominicam orationem prætermittere non potestis.

[7] Hieron. Dial. cont. Lucif. cap. 2. Sacerdos——indicta in populum oratione, altario reconciliat.

[8] Conc. Carth. 3. can. 32. Cujuscunque pœnitentis publicum et vulgatissimum crimen est, quod universam ecclesiam commoverit, ante apsidem manus ei imponatur. Vid. Cod. Afric. can. 43.

[9] Du Fresne, Commentar. in Paulum Silentiarium, p. 536.

[10] Albaspin. Not. in Conc. Carth. 3. can. 32.

[11] Cypr. Ep. 12. al. 17. ad Plebem, p. 39. Pœnitentia agitur justo tempore, et exomologesis fit, inspecta vita ejus qui agit pœnitentiam; nec ad communicationem venire

just time in the exercise of penance; they made their confession, and their life was examined, and then they were received to communion by imposition of hands given them by the bishop and clergy; and there was no other way of being reconciled but this. He repeats this again in other places,[12] and both there and elsewhere complains of some of his presbyters[13] who transgressed this rule, and admitted penitents to the eucharist before this ceremony of admission was regularly performed toward them. He also shows that private reconciliation of penitents upon a death-bed was performed after the same manner: They made their confession before a presbyter or deacon,[14] and if they were in danger of death, imposition of hands was given them, that they might depart hence in peace unto the Lord. Which shows, that he speaks not only of the intermediate imposition of hands, which was given daily to the third order of penitents, called prostrators, whilst they were doing their penance, but also of the last imposition of hands, which was given to penitents at their final reconciliation to the communion of the church. This some canons therefore call the reconciliatory imposition of hands, to distinguish it from all other kinds, whether in penance or out of penance. The custom continued in Africa to give dying penitents reconciliation in this manner by imposition of hands in the time of St. Austin and the fourth council of Carthage; for so that council appointed: If a man in sickness desires[15] penance, let him receive it; and if the signs of death be upon him, let him be reconciled by imposition of hands, and let the eucharist be put into his mouth. But in other places the eucharist alone was given to dying penitents, as their *viaticum*, when they had not performed their whole penance in health; and if they happened to recover, then they were to finish their penance in the ordinary course; and when they had given evidence of a true repentance by the proper fruits of it, they were then to be received publicly to communion by the reconciliatory imposition of hands, as in this case the first council of Orange[16] appointed. Now, though there be no mention made of prayer in this way of reconciliation, yet it always is to be understood, according to that of St. Austin,[17] who says, that imposition of hands is nothing else but prayer, that is, a ceremony attending all prayers of benediction: which therefore both he[18] and other writers sometimes more expressly call *orationem manus impositionis*, the prayer of imposition of hands: some forms of which, both for penance and other benedictions, may be seen in the author of the Apostolical[19] Constitutions; and particularly for reconciling of penitents there is an order, that the bishop[20] shall receive them to communion with imposition of hands, and the prayer of the whole church for them. The form of this prayer is in the end of St. James's liturgy, under the title of *εὐχὴ τοῦ ἱλασμοῦ*, the prayer of propitiation, which is directed to Christ in these words: "O Lord Jesus Christ,[21] Son of the living God, thou Shepherd and Lamb, that takest away the sins of the world, that forgavest the debt to the two debtors, and grantedst remission of sins to the sinful woman, and gavest to the sick of the palsy both a cure and pardon of sins; remit, blot out, and pardon our sins, both voluntary and involuntary, whatever we have done wittingly or unwittingly, by transgression and disobedience, which thy Spirit knoweth better than we our selves. And whereinsoever thy servants have erred from thy commandments in word or deed, as men carrying flesh about them, and living in the world, or seduced by the instigations of Satan; or whatever curse or peculiar anathema they are fallen under, I pray and beseech thy ineffable goodness to absolve them with thy word, and remit their curse and anathema according to thy mercy. O Lord and Master, hear my prayer for thy servants; thou that forgettest injuries, overlook all their failings, pardon their offences both voluntary and involuntary, and deliver them from eternal punishment. For thou art he that hast commanded us, saying, 'Whatsoever ye shall bind on earth, shall be bound in heaven; and whatsoever ye shall loose on earth, shall be loosed in heaven:' because thou art our God, the God that canst have mercy and save and forgive sins; and to thee, with the eternal Father, and the quickening Spirit, belongs glory now and for ever, world without end. Amen."

The like forms of absolution by prayer are still in use in the Greek church, as may be seen in Goar's

quis possit, nisi prius illi ab episcopo et clero manus fuerit imposita.

[12] Cypr. Ep. 10. al. 16. p. 37. Per manus impositionem episcopi et cleri jus communicationis accipiant, &c.

[13] Vid. Cypr. de Lapsis, p. 136. Ep. 12. al. 17. p. 39. Ep. 11. al. 15. ad Martyres, p. 34.

[14] Cypr. Ep. 13. al. 18. p. 40. Si presbyter repertus non fuerit, et urgere exitus cœperit, apud diaconum exomologesin facere delicti sui possint; ut manu eis in pœnitentia imposita, veniant ad Dominum cum pace. It. Ep. 14. al. 19. p. 41. Ep. 15. al. 20. p. 43.

[15] Conc. Carth. 4. can. 76. Accipiat pœnitentiam; et si continuo creditur moriturus, reconcilietur per manus impositionem, et ori ejus infundatur eucharistia.

[16] Conc. Arausican. 1. can. 3. Quod si supervixerint, stent in ordine pœnitentium, ut ostensis necessariis pœnitentiæ fructibus, legitimam communionem cum reconciliatoria manus impositione recipiant. See in Book XVIII. chap. 4. sect. 3, this canon more fully recited.

[17] Aug. de Bapt. lib. 3. cap. 16. Quid enim aliud est impositio manus, nisi oratio super hominem?

[18] Aug. de Peccator. Meritis, lib. 2. cap. 26. Conc. Milevitan. 2. can. 12. Clem. Alex. Pædagog. lib. 3. cap. 11. Euseb. Hist. lib. 1. cap. 13. lib. 7. cap. 2. Constit. Apost. lib. 8. cap. 9. Χειροθεσία καὶ εὐχή.

[19] Constit. lib. 8. cap. 9 et 39.

[20] Ibid. lib. 2. cap. 18.

[21] Liturg. Jacobi in Bibl. Patr. Gr. Lat. t. 2. p. 23.

Euchologium[22] and Dr. Smith's Account of the present State[23] of that Church. Bishop Usher shows further out of Alcuin,[24] and the old Ordo Romanus, and some of the Roman ceremonials and pontificals, that the same form was used for many ages in the Latin church also. And this is confirmed by the old Latin Missal published by Illyricus and Cardinal Bona,[25] where the absolution, under the title of *Indulgentia*, runs in this form: "He that forgave the sinful woman all her sins for which she shed tears, and opened the gate of paradise to the thief upon a single confession, make you partakers of his redemption, and absolve you from all the bond of your sins, and heal those infirm members by the medicine of his mercy, and restore them to the body of his holy church by his grace, and keep them whole and sound for ever."

Other forms of absolution by prayer might be added, but these are abundantly sufficient to show, that anciently the great and formal absolution of public penitents at the altar was usually performed by imposition of hands and prayer; the one as the means procuring, and the other as the rite declaring their reconciliation to God and his church.

Sect. 5. Absolution in the indicative form, *Ego te absolvo*, not used till the twelfth century.

If it be inquired, when the use of the indicative form of absolution first began to be used in the church, that is, the form, I absolve thee, instead of the deprecatory form, Christ absolve thee; Morinus[26] has fully proved, that there was no use of it till the twelfth or thirteenth century, not long before the time of Thomas Aquinas, who was one of the first that wrote in defence of it. And our learned Bishop Usher[27] has clearly proved the novelty of it from Aquinas himself. For he says,[28] There was a learned man in his time, who found fault with the indicative form of absolution then used by the priest, I absolve thee from all thy sins; and would have it to be delivered only by way of deprecation; alleging, that this was not only the opinion of Gulielmus Altissiodorensis, Gulielmus Parisiensis, and Hugo Cardinalis; but also that thirty years were scarce passed, since all did use this form only, *Absolutionem et remissionem tribuat tibi Omnipotens Deus*, Almighty God give thee remission and forgiveness. This points out the time of the change so precisely, that learned men,[29] who allow the form in some sense proper to be used, make no scruple to declare their opinion of the novelty of it upon the strength of the foregoing considerations.

Sect. 6. In what sense that form may be allowed.

If it be asked further, in what sense the indicative form of absolution may be allowed? it is answered, that it may be allowed several ways. 1. As an act of jurisdiction, by those who are intrusted with the power of receiving public penitents into communion, and loosing the bonds of excommunication, wherewith they were judicially and formally tied by the censure of the church before. In this sense it is no impropriety for him who has the key of jurisdiction, and power of relaxing, as well as inflicting church censures, to use the indicative form, I absolve thee. For this is only an external act of ecclesiastical power, that respects only the outward and visible communion, but does not directly or immediately affect the conscience. Therefore some learned persons not only allow the use of it in this sense, but think it was actually so used by some in the primitive church.[30] As by Zephyrinus, bishop of Rome, whom Tertullian (after he was become a Montanist) upbraids,[31] as saying, I forgive the sins of fornication and adultery to those that do penance for them; meaning, that he admitted them again to the peace and communion of the church, which the Montanists, and the Novatians after them, would by no means allow of. 2. This indicative form, I absolve thee, may be interpreted to mean no more than the declaration of God's will to a penitent sinner, that upon the best judgment the priest can make of his repentance, he esteems him absolved before God, and, accordingly, pronounces and declares him absolved: as St. Jerom[32] observes, the priests under the old law were said to cleanse a leper or pollute him; not that they were the authors of his pollution, but that they declared him to be polluted, who before seemed to many to have been clean. And in another place[33] he makes a more close remark concerning this matter, whilst he reflects upon

[22] Goar, Euchlog. p. 666. [23] Smith's Account, p. 181.

[24] Usher, Answer to the Challenge, p. 88.

[25] Bona, Rer. Liturg. in Appendice, p. 763. Qui mulieri peccatrici omnia peccata dimisit lacrymanti, et latroni ad unam confessionem claustra aperuit paradisi, ipse vos redemptionis suæ participes ab omni vinculo peccatorum absolvat, et membra aliquatenus debilitata medicina misericordiæ sanata, corpori sanctæ ecclesiæ redeunte gratia restituat, atque in perpetuum solidata custodiat. Qui vivit et regnat, &c.

[26] Morin. de Pœnitent. lib. 8. cap. 8, 9, &c.

[27] Usher, Answer to the Jesuit's Challenge, p. 89.

[28] Aquin. Opusc. 22. de Forma Absolution. cap. 5.

[29] See Bishop Fell's Not. in Cypr. de Lapsis, p. 136. Discourse of the Penitential Discipline of the Primitive Church, chap. 3. sect. 4. Lond. 1614.

[30] Fell, in Cypr. ibid.

[31] Tertul. de Pudicit. cap. 1. Pontifex scilicet Maximus, episcopus episcoporum, dicit, Ego et mœchiæ et fornicationis delicta pœnitentia functis dimitto.

[32] Hieron. lib. 7. in Esai. xxiii. De sacerdotibus in Levitico legimus, contaminatione contaminabit eum sacerdos, non quod contaminationis autor sit, sed quod ostendat eum contaminatum, qui prius mundus plurimis videbatur.

[33] Hieron. in Mat. xvi. t. 9. p. 49. Istum locum episcopi et presbyteri non intelligentes, aliquid sibi de Pharisæorum supercilio assumunt, ut vel damnent innocentes, vel solvere se noxios arbitrentur: cum apud Deum non sententia sacerdotum, sed reorum vita quæratur. Legimus in Levitico de leprosis, ubi jubentur, ut ostendant se sacerdotibus, et si lepram habuerint, tunc a sacerdote immundi fiant: non quod sacerdotes leprosos faciant et immundos, sed quod

some bishops and presbyters in his own time, who, not understanding the true meaning of the commission to remit sins, assumed to themselves something of a Pharisaical pride and loftiness, so as to imagine they had power either to condemn the innocent, or absolve the guilty; when yet, before God, it is not the sentence of the priests, but the life of the criminals that is inquired into. We read in Leviticus concerning the lepers, where they are commanded to show themselves to the priests, and if they had the leprosy, they were then to be polluted or made unclean by the priest; not that the priests made them leprous or unclean, but because they had the power of judging who were leprous or not leprous, and might discern who were clean or unclean. As, therefore, the priest makes the leper clean or unclean, so the bishop or presbyter here binds or looses, not properly making the guilty or the guiltless; but according to the tenor of his office, when he hears the distinction of sins, he knows who is to be bound, and who to be loosed. Upon this also the Master of the Sentences (following St. Jerom) observes, that the priests of the gospel have that right and office, which the legal[34] priests had of old under the law in curing the lepers. These, therefore, forgive sins or retain them, whilst they show and declare that they are forgiven or retained by God. For the priests put the name of the Lord upon the children of Israel, but it was he himself that blessed them, as it is read in Numb. vi. 27. 3. The indicative form, I absolve thee, may be used in the performance of any external act of the ministry, which is used as a means to obtain remission of sins of God; as in the administration of baptism, or the eucharist. The priest may as well say, I absolve thee, as, I baptize thee; for baptism is an absolution, as we have seen before: but then the priest's part in it is only to administer the external form; but it is God that gives the internal grace, and spiritually baptizes with remission of sins. Yet, forasmuch as the priest has power to minister the external form, he may say, I baptize thee, or I wash thee with water; which washing is the outward means appointed by God to convey to us remission of sins, and the internal washing of our souls in the blood of Christ by the power of the Holy Ghost. So likewise in the administration of the eucharist, a priest might say, I give thee the body of Christ, or, I absolve thee by the body of Christ; meaning, that he ministered to him the outward element of bread, which is the sacramental body of Christ, appointed to be used as a means to convey the real body of Christ and all his benefits, whereof absolution or remission of sins is one, to the worthy receiver. Our church has not appointed the indicative form of absolution to be used in all these senses, but only once in the office of the sick, and that may reasonably be interpreted (according to the account given out of St. Jerom) a declaration of the sinner's pardon, upon the apparent evidences of a sincere repentance, and the best judgment the minister can make of his condition; beyond which none can go but the Searcher of hearts, to whom alone belongs the infallible and irreversible sentence of absolution. But of this only by the way; I now return to the practice of the primitive church.

Sect. 7. Why chrism or unction was sometimes added to imposition of hands in the reconciliation of certain heretics and schismatics to the church.

Where we may observe, that besides the common way of reconciling ordinary penitents to the church, there was something often very peculiar in the reconciliation of heretics and schismatics. For they were considered under a threefold denomination or distinction: either they were such as had been baptized in the church, and afterward fell away from it; or, secondly, they were such as were baptized in heresy or schism, but with the usual form of baptism; or, thirdly, they were such as had been baptized by heretics or schismatics by such a corrupted form, as destroyed the true nature and essence of the thing itself, and made it altogether a null and void baptism. The first sort were reconciled much after the same manner as other penitents, only making a confession and abjuration of their errors. But the second sort, because they wanted the true effect of baptism, that is, the grace or unction of the Holy Spirit, which they could not have out of the church in heresy or schism, were therefore reconciled, not only with imposition of hands, but with the holy unction or chrism added to it, to give them confirmation, and denote their reception of the Holy Spirit of peace upon their returning to the peace and unity of the church. And the third sort, because they wanted true baptism, were received after the manner of heathens, with a new baptism, because their first pretended baptism was altogether null and void. This was the distinction made between those several sorts of heretics, and the true grounds and reasons of the different observations in the church's discipline in their reconciliation and reception. The two latter sorts of heretics were scarce looked upon as properly penitents in the church, but were rather received *sub imagine pœnitentiæ*, under the image and resemblance of the penance that was usually performed by those who

habeant notitiam leprosi et non leprosi, et possint discernere qui mundus quive immundus sit. Quomodo ergo ibi leprosum sacerdos mundum vel immundum facit, sic et hic alligat vel solvit episcopus et presbyter, non eos, qui insontes sunt vel noxii [faciens:] sed pro officio suo, cum peccatorum audierit varietates, scit qui ligandus sit, quive solvendus. I have supplied the word *faciens*, which the sense seems plainly to require.

[34] Lombard. Sentent. lib. 4. dist. 18. p. 334.

had once been members of the church, as Pope Innocent informs us in one of his epistles; where, speaking of some who had been baptized by the Arians and other sects, who retained the due form of baptism, he says,[35] "They received them under the image of penance with imposition of hands and sanctification of the Holy Spirit, to perfect their baptism, which, though given in the name of the Father, Son, and Holy Ghost, yet wanted the grace of the Holy Spirit, which they could not have but upon their return to the peace and unity of the catholic church. Therefore then they received them with imposition of hands, and the unction of chrism, if they had not been anointed before." This he repeats in several other places.[36] And the same is confirmed by the testimonies of Siricius,[37] and Leo,[38] and St. Jerom,[39] and Gennadius,[40] and the author under the name of Justin Martyr,[41] and the councils of Orange[42] and Epone:[43] all which, because I have had occasion more fully to represent them in another work,[44] I only just mention in this place, with this single remark, that the council of Orange, and that of Epone, and the author under the name of Justin, expressly mention the ceremony of chrism, or anointing with the holy oil; which is also appointed by the council of Laodicea,[45] and the general council of Constantinople,[46] and the second council of Arles,[47] and the council of Trullo,[48] to be used with imposition of hands in the reconciliation of such heretics as had been baptized in any heresy or schism with the true form of baptism, in the name of the Father, Son, and Holy Ghost: such are required only to renounce their errors, and learn the true faith, and make profession of it; and then they were to be reconciled with imposition of hands and chrism, which was peculiar to this sort of penitents, who had never before been united truly to the catholic church. They seem not to have gone through all the stages of penance, as other penitents did in the church; but to have been reconciled in a more compendious way, more suitable to their state and condition, as strangers and foreigners now just entering within the pale of the church. For which reason Pope Innocent styles their short penance only an image or faint resemblance of that penance, which held other penitents often very long under the discipline of the church.

Sect. 8. Why some heretics could be reconciled no other way, but by a new baptism.

As to others, who had been baptized by such heretics as had either wholly rejected, or greatly corrupted the true form of baptism, there was a very different way of receiving and reconciling them to the communion of the church. For they could be admitted no other way, but as heathens, by the door of baptism; seeing their former pretended baptism was not only defective in some remoter circumstances, but in the very form and essence of it, and therefore reputed absolutely null and void, and necessary to be repeated, in order to make them members of the church. Upon this account the council of Nice[49] ordered the Samosatenians or Paulianists, upon their return to the catholic church, to be baptized. The council of Laodicea[50] made a like order for the reconciliation of the Montanists or Cataphrygians. The first council of Constantinople[51] decreed the same for the Montanists, Eunomians, and Sabellians. The second council of Arles adds the Photinians;[52] and the council of Trullo[53] the Manichees, Valentinians, Marcionites, and all others of the like nature; that is, all such as had not been truly baptized with due form of baptism. There was no other way of reconciling such to the catholic church, but by instructing and training them up to the knowledge of the true faith, first as catechumens, and then giving them the absolution of baptism, which in this case was allowed to them, as having never received any true baptism before. These were the several ways of reconciling penitent heretics, according to the variety of their circumstances, and the different state and condition they were in, when they desired to be reunited to the body of the church.

Sect. 9. What conditions were required in the reconciliation of those who fell from the church into heresy or schism.

As for those who were baptized in the church, and afterward fell away into any heresy or schism, we find no other way of reconciling them but the common and ordinary way of reconciling all other penitents, by imposition of hands and prayer. For, as I have noted before, if the first baptism was valid, a second baptism was never allowed to be given to any penitent by way of absolution. Yet some greater hardships and severer conditions were often imposed upon such apostates and deserters, before they could be admitted to the

[35] Innoc. Ep. 18. ad Alexandrum, cap. 3. Eorum laicos conversos ad Dominum, sub imagine pœnitentiæ ac Sancti Spiritus sanctificatione per manus impositionem suscipimus, &c.

[36] Innoc. Ep. 2. ad Victricium, cap. 8. Ep. 22. ad Episcopos Macedon. cap. 4 et 5.

[37] Siric. Ep. 1. ad Himerium Tarracon. cap. 1.

[38] Leo, Ep. 37. ad Leonem Raven. cap. 2. Ep. 92. ad Rusticum Narbon. cap. 16.

[39] Hieron. Dial. cont. Lucifer. cap. 8.

[40] Gennad. de Eccles. Dogm. cap. 52. It. de Scriptor. Eccles. cap. 27.

[41] Justin. Quæst. 14. ad Orthodox.

[42] Conc. Arausic. 1. can. 2. Hæreticos in mortis discrimine——cum chrismate et benedictione consignari placet.

[43] Conc. Epaunen. can. 16. Hæreticis in lecto decumbentibus, presbytero chrismate subvenire permittimus.

[44] Scholast. Hist. of Bapt. Part I. chap. 1. sect. 20, 21

[45] Conc. Laodic. can. 7.

[46] Conc. Constant. 1. can. 7.

[47] Conc. Arelat. 2. can. 17.

[48] Conc. Trull. can. 95.

[49] Conc. Nic. can. 19.

[50] Conc. Laodic. can. 8.

[51] Conc. Constant. can. 7.

[52] Conc. Arelat. 2. can. 16.

[53] Conc. Trull. can. 96.

peace of the church again. If they were ringleaders and broachers of the heresy, who drew others into their error and faction; it was commonly required, that they should bring back the multitude whom they had deceived, before they obtained a perfect absolution. Thus Tertullian[54] observes of Marcion, that he was promised to be absolved only upon this condition, that he should reduce those back again to the church, whom he had led away by his doctrine into perdition: and he undertook to do this, but death prevented him. Cyprian makes a like remark in the case of Trophimus, one of the three bishops that were concerned in giving Novatian an unlawful ordination, whereby they set him up as anti-bishop against Cornelius, and raised a flaming schism in Rome: he says, his supplication for readmission was accepted,[55] because by his humility and satisfaction he brought back the people, whom he had drawn into the schism; and it was not so much Trophimus that was admitted again into the church, as a great number of the brethren, who had gone aside with him, and would not have returned without their leader. And yet he was not allowed to retain his espiscopal office, but only to communicate in the quality of a layman. Sometimes it was required of them, as a condition of their absolution, that they should make discovery of the remainders of their faction. St. Austin gives us an instance of this in his own treatment of one Victorinus, a subdeacon, who fled over to the sect of the Manichees: when he returned again, and desired to find a place for repentance, St. Austin refused to admit him, unless he would give information of the rest of his party. Sometimes they were required to anathematize their errors, and abjure them in writing. The council of Nice exacted this condition[56] of the Novatians; and the council of Gangra,[57] of the Eustathians; and the second council of Arles,[58] of the Novatians; and the African councils,[59] of the Donatists. The council of Laodicea[60] insists upon the same from the Novatians, Photinians, and Quartadecimans. And the general council[61] of Constantinople exacts it of the Macedonians, Sabbatians, Arians, Novatians, Quartadecimans. And sometimes they were required not only to anathematize error, and subscribe the truth, but to take an oath for greater confirmation; as Socrates says[62] Constantine obliged Arius to do, though he did it fraudulently and like an impostor. This was the precaution which the church used particularly in the case of heretical apostates, to be ascertained of their sincerity in making recantations, before she would receive them into her communion again, or grant them absolution.

Sect. 10. Of the time of absolution.

There is one circumstance more to be noted under this head, which is the ordinary time of absolution. This seems to have been fixed, in the ordinary course of discipline, to the day of our Saviour's passion, or rather the day on which he was betrayed. For so St. Ambrose says expressly, that on the day that our Lord gave himself for us,[63] it was usual in the church to relax men's penance, or grant them absolution. In the Roman church, in the time of Pope Innocent,[64] the custom was the same, to absolve penitents only upon the Thursday before Easter, except some sickness intervened, and the penitent's life was despaired of; for then he might be reconciled at any time, when necessity required, rather than leave the world without the benefit of communion. It was at or about this time also, that the emperors (perhaps in imitation of this custom of the church) were wont to send forth their civil absolutions or indulgences, as they called them, whereby at the Paschal festival they granted pardon to all criminals, who lay bound in prison for their faults, except some that were of a more malignant and unpardonable nature. This practice was first begun by Valentinian, and continued by Theodosius and the succeeding emperors; of which there is a whole title in the Theodosian Code,[65] to mention no other writers at present that speak of it. The monks who petitioned in behalf of Eutyches in the second council of Ephesus,[66] plainly refer to both customs, the sacred and the civil. For upon this day, say they, meaning the Paschal solemnity, the holy fathers relax the punishment of many offenders; and the emperors loose the bonds of those that are in chains for their transgressions. So that this was the chief time of discharging both civil

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[54] Tertul. de Præscript. cap. 30. Ita pacem recepturus, si cæteros quoque, quos perditioni erudisset, ecclesiæ restitueret, morte præventus est.

[55] Cypr. Ep. 52. al. 55. ad Antonian. p. 105. Fraternitatem, quam nuper abstraxerat, cum plena humilitate et satisfactione revocante Trophimo, auditæ sunt ejus preces; et in ecclesiam Domini non tam Trophimus, quam maximus fratrum numerus, qui cum Trophimo fuerat, admissus est; qui omnes regressuri ad ecclesiam non essent, nisi cum Trophimo comitante venissent — Sic tamen admissus est Trophimus, ut laicus communicet, non quasi locum sacerdotis usurpet.

[56] Conc. Nic. can. 8. [57] Conc. Gangren. in Procem.

[58] Conc. Arelat. 2. can. 9. [59] Cod. Afric. can. 57.

[60] Conc. Laodic. can. 7. [61] Conc. Const. 1. can. 7.

[62] Socrat. lib. 1. cap. 38.

[63] Ambros. Ep. 33. ad Marcellin. sororem. Erat dies quo Dominus sese pro nobis tradidit, quo in ecclesia pœnitentia relaxatur.

[64] Innoc. Ep. 1. ad Decent. cap. 7. Pœnitentibus si nulla interveniat ægritudo, quinta feria ante Pascha remittendum Romanæ ecclesiæ consuetudo demonstrat, &c. Vid. Hieron. Epitaph. Fabiolæ.

[65] Cod. Theod. lib. 9. Tit. 38. de Indulgentiis Criminum, Leg. 3, 4, &c.

[66] Acta Synod. Ephes. in Act. 1. Conc. Chalcedon. Con. t. 4. p. 277. Vid. Action. 10. ibid. p. 641. Another such instance out of the council of Berytus.

and ecclesiastical criminals, and in regard to each of them the discharge was styled (according to the nature of the thing, either in a civil or ecclesiastical sense) an absolution or indulgence.

Sect. 11. How the church absolved some penitents, or received them into communion, after death.

We have hitherto considered the manner and circumstances of absolution, as given to all sorts of penitents whilst they were living. But besides this we are to take notice of another way of absolving penitents, and receiving men into communion, even after death. For it sometimes happened, that true penitents, and very good men, by accident died under the censure of excommunication unrelaxed, and so out of the external visible communion of the church. Which might happen in two cases: 1. When penitents chanced to die suddenly, whilst they were diligently performing their penance; or were in a journey, or at sea, where they had no minister to give them a formal reconciliation or absolution. 2. When innocent men were overborne by some great and prevalent faction, and unjustly excommunicated, and never received into the external communion of the church by reason of the power that prevailed against them. For both these cases the church provided a remedy, by using some ceremony to admit them into communion, or rather to acknowledge them to be in communion, after death. For penitents who died suddenly, whilst they were carefully doing their penance, it was provided, that notwithstanding this accident, they should be treated as persons dying in the communion of the church, though they wanted a formal reconciliation. To this purpose, the fourth council of Carthage made a decree,[67] That if any penitents, who were diligently observing the rules of penance, happened to die by any sudden accident, whilst they were in a journey, or at sea, where no assistance could be given them, their memorials notwithstanding should be recommended both in the prayers and the oblations of the church. And the second council of Vaison[68] has an order of the same nature, which is a little more particular: If any of those who have submitted to the laws of penance, and in pursuance thereof lead a good life in all satisfactory compunction, shall happen to be prevented by sudden death in the country, or in a journey, their oblations shall be received, and their funeral obsequies and memorials be performed after the manner and custom of the church: because it were unreasonable to exclude the commemorations of those out of the sacred service, to which service they were labouring with all diligence and fidelity to attain; and to whom the bishop (though they chanced to be intercepted from receiving the *viaticum* of the eucharist) would perhaps not have thought it improper to have granted the most perfect reconciliation. The practice of the Roman church indeed was otherwise in the time of Pope Leo, as appears from some of his epistles:[69] but their practice was almost singular; for the general current was against them, inclining to the more favourable side in behalf of such penitents as died suddenly without reconciliation. Which is observed by the fathers in the eleventh council of Toledo, who thereupon determine,[70] that though there were different rules about this matter, yet it was more proper to follow the majority, which decreed on the favourable side in behalf of such penitents, that their memorial should be recommended in the church, and that the presbyters should receive their oblations. As to the other sort of persons, who were unjustly excommunicated by the power of some prevailing faction, the way of restoring them to the external communion of the church after death, was by inserting their names into the diptychs of the church, (as Theodoret[71] tells us it was done by Atticus in the case of Chrysostom,) which was enough to restore them after death to the communion and fellowship of the faithful. And so I have done with the circumstances and ceremonies observed in the ancient manner of absolution.

CHAPTER III.

OF THE MINISTER OF ECCLESIASTICAL DISCIPLINE, AND PARTICULARLY OF THE MINISTER OF ABSOLUTION.

Sect. 1. All the power of discipline primarily lodged in the hands of the bishop.

THERE remains but one thing more to be examined in this matter, relating to the exercise of discipline in the practice of the church; and that is,

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[67] Conc. Carth. 4. can. 79. Pœnitentes, qui attente leges pœnitentiæ exequuntur, si casu in itinere vel in mari mortui fuerint, ubi eis subveniri non possit, memoria eorum et orationibus et oblationibus commendetur.

[68] Conc. Vasense 2. can. 2. Horum, qui pœnitentia accepta, in bonæ vitæ cursu satisfactoria compunctione viventes, sine communione inopinato nonnunquam transitu in agris aut itineribus præveniantur, oblationem recipiendam, et eorum funera ac deinceps memoriam ecclesiastico affectu prosequendam: quia nefas est eorum commemorationes excludi a salutaribus sacris, qui ad eadem sacra fideli affectu contendentes—absque sacramentorum viatico intercipiuntur, quibus fortasse nec sacerdos absolutissimam reconciliationem denegandam putasset.

[69] Leo, Ep. 90. al. 92. ad Rustic. cap. 6. Ep. 89. ad Theod.

[70] Conc. Tolet. 11. can. 12. De his autem qui accepta pœnitentia, antequam reconciliarentur, ab hac vita recesserint, quanquam diversitas præceptorum de hoc capitulo habeatur: illorum tamen nobis sententia placuit, qui multiplici numero de hujusmodi humanius decreverunt, ut et memoria talium in ecclesiis commendetur, et oblatio pro eorum delicto a presbyteris recipiatur.

[71] Theod. lib. 5. cap. 34. Vid. Conc. C. Pol. sub Menna, Act. 5. in the case of Leo, Euphemius, and others.

by what hands it was managed? who ordinarily had the power of the spiritual sword? and who particularly was the proper minister of absolution? That all the power of discipline was primarily lodged in the hands of the bishop, as all other offices of the church, is a matter uncontested, and evident from the whole foregoing history and account of the practice of the church. For the canons always speak of the bishop, at least in conjunction with his ecclesiastical senate, his presbytery, as cutting off offenders from the church, and imposing penance upon them; and then again examining their proficiency, and either lengthening their penance, or moderating it by his indulgence; and finally admitting them to the communion of the church by absolution.

Sect. 2. This in many cases committed to presbyters, either by a general or particular commission.

And this, so far as the bishop could manage it, might be retained solely to himself, and exercised at his own discretion. But, because the necessities of the church required, in many cases, that part of this burden should devolve upon others, and the bishop was not able personally to discharge the whole of it to all that needed; therefore presbyters, as his proper assistants, were taken in to be sharers and fellow labourers with him. They had a general commission to grant the great indulgence or absolution of baptism, and that of the eucharist, and the word and doctrine, to all that needed: and though they were more restrained in the exercise of public discipline, and the final reconciliation of public penitents by imposition of hands and prayer; yet the intermediate imposition of hands upon the penitents in their daily exercise was often committed to them; and by the bishop's leave they might give the final reconciliation to public penitents, either openly in the church, or privately on a sick bed, when necessity and the fear of imminent death required a speedier absolution. This is evident from the very canons, which restrain the power of presbyters in reconciling public penitents, and reserve it solely to the bishop: they still admit of these limitations and exceptions. The second council of Carthage has two canons, which thus divide the matter between them. The first[1] says, A presbyter shall not reconcile any penitent in the public service. But the other immediately adds,[2] That if any one be in danger of death, and desires to be reconciled to the altar, if the bishop be absent, the presbyter shall consult the bishop, and so reconcile him at his command. And so the third council of Carthage determined,[3] That a presbyter should not reconcile a penitent without consulting the bishop, unless the bishop was absent and necessity compelled him. The council of Orange made a like decree[4] about reconciling such penitents as had been baptized by heretics, that in case they were in danger of death, and desired to be made catholics, if the bishop was absent, a presbyter should consign them with chrism and the benediction. And the council of Epone[5] has a like order, That if any heretics, who lay desperately sick upon their beds, desired suddenly to be converted, in that case, for the salvation of their souls, which was heartily desired, a presbyter should be permitted to give them the consolation of chrism, that is, both confirmation and reconciliation, which those that were in health were only to desire of the bishop. And that this was the ancient rule of the church, appears from the letters of Dionysius, bishop of Alexandria,[6] in Eusebius, where he says he had given orders to his presbyters to grant absolution to all that were at the point of death, if they desired it; and especially if they had desired it before, that they might have hope and consolation in their last minutes, when they were about to leave the world.

Sect. 3. And to deacons also.

Neither was this commission and licence granted only to presbyters, but to deacons also; for as they were allowed to give men the absolution of baptism, in cases of extreme necessity, so they were authorized to grant penitents the reconciliatory absolution in the same circumstances likewise. For so the council of Eliberis[7] seems to determine, that though presbyters ordinarily had not power to admit any one to penance, but only the bishop; yet in case of infirmity both presbyters and deacons ought to receive penitents to the communion, having the bishop's command to do it. This is more plainly delivered by Cyprian, who says,[8] If penitents were

[1] Conc. Carth. 2. can. 3. Reconciliare quenquam in publica missa, presbytero non licere, hoc omnibus placet.

[2] Ibid. can. 4. Si quisquam in periculo fuerit constitutus, et se reconciliari divinis altaribus petierit, si episcopus absens fuerit, debet utique presbyter consulere episcopum, et sic periclitantem ejus præcepto reconciliare.

[3] Ibid. 3. can. 32. Ut presbyter inconsulto episcopo non reconciliet pœnitentem, nisi absente episcopo, et necessitate cogente.

[4] Conc. Arausican. 1. can. 2. Hæreticos in mortis discrimine positos, si catholici esse desiderent, si desit episcopus, a presbyteris cum chrismate et benedictione consignari placet.

[5] Conc. Epaunen. can. 16. Presbytero, propter salutem animarum, quam in cunctis optamus desperatis, et in lecto decumbentibus hæreticis, si conversionem subitam petant, chrismate subvenire permittimus. Quod etiam omnes conversuri, si sani sunt, ab episcopo noverint expetendum.

[6] Ap. Euseb. lib. 6. cap. 44.

[7] Conc. Eliber. can. 32. Apud presbyterum, si quis gravi lapsu in ruinam mortis inciderit, placuit agere pœnitentiam non debere, sed potius apud episcopum: cogente tamen infirmitate, necesse est presbyterum communionem præstare debere, et diaconum, si ei jusserit sacerdos.

[8] Cypr. Ep. 13. al. 18. p. 40. Si incommodo aliquo et infirmitatis periculo occupati fuerint, non expectata præsentia nostra, apud presbyterum quemcunque præsentem, vel si presbyter repertus non fuerit, et urgere exitus cœperit, apud diaconum quoque exomologesin facere delicti sui possint; ut manu eis in pœnitentia imposita, veniant ad Dominum cum pace. Vid. Ep. 14. al. 19. p. 41.

seized with any calamity, and were in apparent danger of death, in the absence of the bishop, they might make their confession before any presbyter that was present; or if a presbyter could not be found, before a deacon, and receive imposition of hands, that they might go to the Lord in peace. It is plain, also, that the clergy had some share with the bishop in the more public and solemn absolutions: because Cyprian[9] often complains of some forward men, who were desirous to have the eucharist granted them, before they had received the solemn imposition of hands from the bishop and the clergy to reconcile them to the altar.

Sect. 4. How far, and in what sense, absolution might be said to be given by a layman.

But as presbyters and deacons did nothing alone in this matter without the bishop, but either in conjunction with him, or by his authority and permission; so much less was this power intrusted in the hands of any layman. Only in case of extreme necessity some canons allowed a layman to give baptism to a catechumen (which was reputed, as we have heard before, one sort of absolution) rather than he should die unbaptized. This is evident from the decree made in the council of Eliberis,[10] that in a voyage at sea, or in any place where there was no church near at hand, if a catechumen happened to be extremely sick, and at the point of death, any Christian, who had his own baptism entire, and was no bigamist, might baptize him. And the sentiments of Tertullian, St. Jerom, and St. Austin, with several others that have been canvassed[11] in another book, show that this was not the singular opinion of that council. As to the other sacrament, we no where find, that either deacons or laymen were allowed to consecrate it; that being the office of presbyters only. Neither were laymen allowed to minister publicly either the bread or the cup, when consecrated, to the people; for that was the standing office of deacons. Yet a layman in case of absolute necessity might carry and minister the consecrated bread and wine in private to a dying person, and so far be instrumental in his absolution. As appears from that famous case related by Eusebius[12] out of Dionysius of Alexandria, concerning Serapion, who had the eucharist sent him by the priest, and given him by the hands of his servant. But the remark which Bishop Fell[13] makes upon this is very just, That whatever necessity compels men to do, it defends but only so far and so long as the necessity lasts. It is a known story in Eusebius, of the eucharist being transmitted to Serapion by a boy; yet no one may thence infer, that therefore children may dispense those holy mysteries. He thinks the same reason holds for deacons reconciling penitents in case of extreme necessity: that it was an extraordinary case; and no consequence is to be drawn from necessity and extraordinary cases, to prejudice the ordinary rules and standing measures of the church. If men exceed their commission, and excommunicate or absolve without power, they are themselves liable to censure for their usurpation, and the church may reverse all such irregular acts by her own just authority at pleasure. Therefore when the council of Ephesus had deposed Nestorius and Cœlestius for their heresy, and reduced them to the state of laymen, she declared, that she took from them all the power of the priesthood, which enabled them to do good[14] or harm to others, that is, either to excommunicate or absolve. And whereas Nestorius after this pretended to depose some clerks from their priestly office for their orthodoxy, the synod declared his act a nullity, and that the priests so deposed[15] should be restored to their station again. And on the other hand, whereas Nestorius and his accomplices had attempted to restore those to communion, or their order, whom the synod had condemned, the synod[16] declared, this should not profit them; they should remain excommunicate or deposed notwithstanding. This shows, that neither laymen, nor clerks reduced to the state of laymen, had any power of binding or loosing by the ordinary rules of discipline in the church. And so Theodoret[17] says a certain bishop told Theodosius junior, when he was under some concern for being rashly excommunicated by a monk. The good emperor was uneasy even under an unjust excommunication by an incompetent authority pronounced against him, and would not sit down to meat till he was absolved. For which purpose he sent to the bishop, to desire him to engage the person who had bound him, to come and absolve him. The bishop told him, it did not belong to every one to excommunicate, and therefore he was absolved already: yet this did not satisfy the emperor, till the man was found out, to come himself, and restore him to the communion of the church. The bishop's answer in this case was certainly very just; but the emperor, being a man of a tender conscience, could not entirely rest upon it. Perhaps he was sensible he had done the monk some personal injury, in which case personal satisfaction was to be made, and private

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[9] Cypr. Ep. 10. al. 16. p. 37. Nondum manu eis ab episcopo et clero imposita, eucharistia illis datur, &c. Ep. 11. al. 15. p. 34. Ante manum ab episcopo et clero in pœnitentiam impositam, &c. Ep. 12. al. 17. p. 39.

[10] Conc. Eliber. can. 38.

[11] Scholast. Hist. of Lay Baptism, Part I. chap. 1. sect. 8, &c.

[12] Euseb. lib. 6. cap. 44. See before, chap. 1. sect. 3, where the whole story is more fully related.

[13] Not. in Cypr. Ep. 18. p. 40.

[14] Conc. Ephes. in Epist. Encyclica, Conc. t. 3. p. 804.

[15] Conc. Ephes. can. 3.

[16] Ibid. can. 5.

[17] Theodor. lib. 5. cap. 32.

pardon to be asked, according to that rule of our Saviour, "If thou bring thy gift to the altar, and there rememberest that thy brother hath ought against thee; leave there thy gift before the altar, and go thy way; first be reconciled to thy brother, and then come and offer thy gift." In this case every man has power to pardon the sins of his brother, and also to admonish him, and instruct him, and pray for him, which are private and remote ways of reconciling him to the altar. It is of these St. Austin[18] speaks, in conformity to that precept of the apostle, Col. iii. 13, "Forgiving one another, if any man have a quarrel against any; even as Christ forgave you, so also do ye." "Let us forgive one another's sins," says he, "and pray for the sins of each other, and so in some measure wash one another's feet. It is our part, by the gift of God, to use the ministry of charity and humility; but it belongs to God to hear our prayers, and cleanse us from all pollution of sins by Christ and in Christ, that what we forgive unto others, that is to say, what we loose upon earth, may be loosed in heaven." This is so necessary a part of Christian duty, that no one may forego this way of loosing his brother, under pain of having his own sins retained by God. For if we forgive men their trespasses, our heavenly Father will also forgive us: but if we forgive not men their trespasses, neither will our Father forgive our trespasses. Upon which one of the ancients[19] observes, that we bind ourselves the faster in our own sins, if we refuse to loose the bonds of others. And nothing is more common among the fathers than to say, Men bind themselves, or are bound by others, when they trespass against them, and never ask forgiveness: and that they loose themselves or others from sin, either by almsdeeds, or charity, or converting of sinners, or praying for them, or remitting their trespasses committed against them. With respect to binding,[20] St. Austin says, When any brother sins against another, and he thereupon begins to esteem him as a publican, he binds him on earth; but he must take care that he bind him justly, for unjust bonds are broken by the justice of God. And for loosing, Origen reckons up seven ways, whereby Christians may obtain remission of sins, whereof five are apparently private actions of private men. The first is baptism, whereby men are baptized for the remission of sins.[21] The second is the suffering of martyrdom. The third is almsdeeds; for our Saviour says, Give alms, and behold all things are clean unto you. The fourth is, forgiving the sins of our brethren; for our Lord and Saviour says, "If ye from your heart forgive your brethren their trespasses, your Father will forgive your trespasses." The fifth is, when one converts a sinner from the error of his ways. The sixth is, the abundance of charity, as our Lord says, "Her sins, which are many, are forgiven, because she loved much." The seventh is, the hard and laborious way by penance, when a man waters his couch with his tears, and his tears are his bread day and night, and he is not ashamed to declare his sin to the priest of the Lord, and seek a cure. The first and last of these, viz. baptism and penance, are public acts, in which the ministry of the priest is concerned; but all the rest, martyrdom, almsdeeds, forgiving injuries, converting sinners, and exceeding love of God, are private actions of private men, and may be performed by any good Christian. And therefore the remission of sins that is ascribed to them, is no peculiar act of the ministry, but may be the act of any private Christian. Consequently, so far laymen may be concerned in the remission of sins without any intrenchment upon the ministry; but these, being only private acts, are of no further consideration in the present discourse, which only relates to ministerial absolution, and the public discipline of the church.

I have now gone over all that relates to the exercise of penitential discipline, so far as concerns the practice of the ancient church. As for doctrinal points, such as the question, whether penance be properly a sacrament? and whether sacerdotal absolution be necessary to salvation? these come not directly within the design of the present undertaking, which only considers the practice of the church. But because I have had occasion to write some little tracts upon the latter question, and it will not be unacceptable to some readers to see them made public, I shall here subjoin them by way of Appendix to the present discourse.

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[18] Aug. Tract. 58. in Joan. t. 9. p. 164. Invicem nobis delicta donemus, et pro nostris delictis invicem oremus, atque ita quodammodo invicem pedes nostros lavemus, &c. Ut quod aliis etiam dimittimus, hoc est, in terra solvimus, solvatur et in cœlo.

[19] Sedulius Carm. Paschal. lib. 2. Bibl. Patr. t. 8. p. 665. Graviusque soluti nectimur, alterius si solvere vincula negamus.

[20] Aug. de Verbis Dom. Serm. 16. cap. 4. Cœpisti habere fratrem tuum tanquam publicanum: ligas illum in terra. Sed ut juste alliges, vide: nam injusta vincula dirumpit justitia.

[21] Orig. Hom. 2. in Levit. t. 1. p. 111.

APPENDIX:

CONTAINING

TWO SERMONS,

AND

TWO LETTERS TO THE BISHOP OF WINCHESTER,

CONCERNING

THE NATURE AND NECESSITY OF THE SEVERAL SORTS OF ABSOLUTION; SHOWING HOW FAR THAT NECESSITY EXTENDS, AND WHERE IT CEASES.[1]

SERMON I.

WHOSE SOEVER SINS YE REMIT, THEY ARE REMITTED UNTO THEM; AND WHOSE SOEVER SINS YE RETAIN, THEY ARE RETAINED.—JOHN XX. 23.

"Though the doctrine of ministerial absolution, or remission of sins, be a doctrine of great use in Christianity, as a matter wherein our practice is much concerned; yet I know not by what hard fate it has happened, that there are few doctrines which have been more abused or less understood. The extravagancies of some on the one hand, who would have it almost to do every thing in Christianity, have made others think it could do nothing; as violent disputes usually beget great oppositions, and great oppositions commonly end in different extremes. It will not be amiss therefore to set this useful and necessary doctrine in its proper light, by discoursing of it in a practical way without any dispute, beginning with its original or first institution.

"When our Saviour was about to leave the world, he gave commission to his disciples to act in his name, as his ministers and vicegerents, in all things relating to the kingdom of God. This kingdom was founded chiefly upon the promise and prospect of pardon or remission of sins; and this pardon was to be dispensed, and ascertained to men, by the intervention of those whom he had appointed and commissioned for this very purpose. For this was part of their commission, to remit or to retain sins, as they should judge proper, acting by the rules which he gave them, with a promise, that what they did regularly in his church on earth should be ratified and confirmed by himself in heaven.

"In general, therefore, it is evident beyond dispute, that Christ left a power in the hands of his ministers to retain, or to forgive men's sins; but yet, to have a more particular account and right apprehension of this, three inquiries will be necessary to be made further.

"I. Into the nature of this power, as it belongs to man; for, notwithstanding the commission and authority granted to man, there is still a vast difference to be made between the power of forgiving sins, as exercised by God, and as exercised by man.

"II. We must inquire into the several acts or ways in which the ministers of Christ are commissioned and authorized to exemplify this power.

"III. How far all men are bound to submit to the lawful exercise of it.

"From the resolution of which points we shall be able to reduce this consideration to practice, and easily discern what are the proper uses to be made

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[1] Note, That the two sermons were first preached in the cathedral church of Winchester, and afterward a part of both at a visitation at Waltham, Sept. 24, 1716. That part which was delivered as a visitation sermon, is thus marked out ["] for distinction's sake, to gratify the curiosity of such as were hearers of that part only, which was the former part of the first and the latter part of the second.

of this doctrine of absolution, both as it relates to the ministers of Christ and his people.

"I. I begin with the first inquiry, into the nature of this power, as it belongs to man. Where I observe, that notwithstanding the commission granted to man, there is still a vast difference to be made between the power of forgiving sins, as exercised by God, and as exercised by man. For the power of God is absolute and sovereign in pardoning sins; his judgment unerring and infallible about the subjects who are capable of pardon; and, consequently, his sentence always exact, and irreversible by any other power whatsoever. Whereas the power of man to forgive sins is not absolute, but only ministerial; his commission and authority is not only derivative, but tied up and bounded by certain rules, which are to be the measures of his proceedings in this grand affair with his fellow creatures. Consequently, his judgment is neither infallible, nor his sentence irreversible, but only so far as he observes the rules prescribed by his sovereign Lord, who still reserves to himself the privilege of reviewing the determinations of his vicegerents and judges upon earth, and of judging over again their sentence by his final and unerring judgment. If the ministers of Christ indeed observe exactly the rules which he has prescribed, in judging sinners and pardoning sin; if they, neither through haste or partiality, or ignorance and error, condemn the guiltless, or absolve the guilty, then their sentence, whether it be of remitting or retaining sins, will be confirmed and ratified in heaven; because they act according to the tenor of their commission, and only as faithful stewards conforming to the measures and rules which their sovereign Lord has appointed them. But if they chance to deviate from those rules, either by ignorance of men's case, or the sly pretences of hypocritical sinners;[2] or by any neglect, or weakness, or assuming tyranny, or fond indulgence, or any other passion incident to human nature; in all such cases Christ, the supreme Lord, will judge things over again, and reverse their sentence, whether it be too rigorous or too indulgent; because they exceed their commission, and judge by other rules than what he has appointed them. This is that noted difference between the power of God and man in forgiving sins; the one does it by an absolute and independent authority, the other only by a subordinate and restrained commission, which is rather a declaration of God's will, than any sovereign power invested in him. For no man can say to his brother, with the same authority and infallible assurance as Christ did to the thief upon the cross, 'To day thou shalt be with me in paradise.' This is the prerogative of God alone, to pardon sins with an absolute and uncontrollable power. And in this sense it is properly said in Scripture, that 'none can forgive sins but God.' And upon this foundation Athanasius, and the generality of the ancient writers,[3] always argued for the Divinity of our Saviour against Arius, from this topic, that he took upon him to forgive sins with an absolute authority, which was the peculiar privilege of God alone.

"Yet this does not hinder but that man may have a ministerial part in the forgiveness of sins, in such acts as are by commission intrusted with him; and what those acts of his ministry are I come now in the next place to consider, by proceeding in order to the second inquiry, which was

"II. What those special acts or ways are, in which the ministers of Christ are commissioned or authorized to exemplify this their power of retaining or remitting sins.

"Now these, upon an exact inquiry, appear to be these four acts of the ministry, whereby the benefit of absolution is ordinarily dispensed unto men.

"1. The power of administering the two sacraments of baptism and the Lord's supper to all such as are qualified to receive them; which is, therefore, called sacramental absolution.

"2. The power of declaring or publishing the terms, or conditions, upon which the gospel promises pardon and remission of sins; which is called the declaratory absolution of the word and doctrine.

"3. The power of interceding with God for pardon of sins through the merits of Christ; which is the absolution of prayer.

"4. The power of executing church discipline and censures upon delinquents; which consists in

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[2] Cyprian to this purpose says, Neque enim præjudicamus Domino judicaturo, quo minus si pœnitentiam plenam et justam peccatoris invenerit, tunc ratum faciat quod a nobis fuerit hic statutum. Si vero nos aliquis pœnitentiæ simulatione deluserit; Deus qui non deridetur, et qui cor hominis intuetur, de his quæ nos minus perspeximus judicet, et servorum sententiam emendet. Cypr. Ep. 52. al. 55. ad Antonian. p. 108. "We do not prejudge or forestall the Lord, who is to judge; but that if he find the repentance of the sinner to be full and just, he may then ratify that which was here ordained by us: but if any one do deceive us by a false appearance of repentance, God (who is not mocked, and who beholdeth the heart of man) may judge of those things, which we did not well discern, and the Lord may amend the sentence of his servants." In like manner Pacian. Ep. 1. ad Sempronian. Bibl. Patr. t. 3. p. 53. Reddet quidem ille rationem, si quid perperam fecerit, vel si corrupte et impie judicarit. Nec præjudicatur Deo, quo minus mali ædificatoris opera rescindat: interea si pia illa administratio est, adjutor Dei operum perseverat. "The minister shall give an account, if he has done any thing amiss, or if he has judged corruptly and wickedly: neither is God forestalled, that he may not undo the works of this evil builder. But in the mean time, if that administration of his be godly, he continues a helper of the works of God.

[3] See this fully proved, Book XIX. chap. 1. sect. 1.

excluding flagitious and scandalous sinners from the communion of the church, and receiving penitents again into her communion, when they have given just evidences of a sincere repentance. In these four acts, regularly exercised, consists the ministerial power of retaining or remitting sins, so far as the delegated authority of man can be concerned in it.

"1. In the power of administering the two sacraments of baptism and the Lord's supper to all such as are qualified to receive them. Baptism is the grand absolution[4] of the Christian church; for by it all men, who are admitted as living members of Christ's mystical body, the church, receive certain and universal remission of sins. Whence it had anciently the names[4] of indulgence, and salvation, and remission of sins, because these were the undoubted effects to all worthy receivers. Therefore, so far as the ministers of Christ are authorized to admit proselytes and converts into the church by the sacrament of baptism, so far they are empowered to grant remission of sins; because they administer that, whose proper effect is the remission of sins, as it is the seal of God's covenant, and means of conveying all the spiritual blessings of Christ's death and passion to all those who come in the sincerity of their hearts with due qualifications to receive it.

"Now, it is certain the ministers of Christ are invested with a power, not only to administer this sacrament unto men, but also to judge by certain rules of probation, who are capable and proper subjects of it; and according as they find them qualified, or unqualified, by bringing them to the test of those rules, correspondently either to receive them, or reject them, from the privilege of baptism; which is in effect to grant them, or not grant them, remission of sins, because it is to grant them, or not grant them, that ordinary means, which is made by Christ the seal of remission of sins. The ancients commonly found this power of remitting or retaining sins in baptism upon these very words of the text, and those other words of our Saviour to Peter, 'Whatsoever thou shalt bind on earth, shall be bound in heaven; and whatsoever thou shalt loose on earth, shall be loosed in heaven.' St. Cyril of Alexandria, expounding the words of the text, says, Spiritual men remit or retain sins[5] two ways: 1. When they call those to baptism who are worthy of it upon the account of a good life and approved faith; or forbid and repel those from the Divine gift who are unworthy of it. 2. When they punish and correct the children of the church for offending, and pardon them again upon their repentance. St Cyprian and St. Ambrose, having to deal with the Novatians, who denied the church all manner of power to pardon sins after baptism, argue with them upon this common principle, acknowledged on both sides, that Christ gave his ministers power to remit sins by baptism. For the Novatians did not deny this; therefore St. Ambrose[6] reduces them to an absurdity, with great acuteness, putting this question to them, Why do ye baptize, if sins cannot be remitted by the ministry of man? What is the difference, whether priests assume this power, as given to them in the exercise of penance, or in the administration of baptism? Plainly implying, that the administration of baptism was one way of remitting sins. And it may be said with truth, that the ancients were generally in these sentiments,[7] and, perhaps, to a man concurring in this opinion, that the ministers of Christ are instrumental in remitting of sins by the administration of baptism.

"It is true, indeed, this power of giving or refusing baptism to men, is not a mere arbitrary, absolute, or despotic power, authorizing the ministers of Christ to give or refuse it at their own mere pleasure; but, as was said, it is a ministerial power, tying them to certain rules, whereby they are to judge, whether men be duly qualified for baptism or not, and, accordingly, obliging them to admit or reject them. They are to examine, whether men sincerely perform the ordinary conditions required of all men that come to Christ's holy baptism; that is, whether they make profession of believing such necessary articles of the Christian faith, as the church has commonly summed up in her creed; and whether they promise to renounce Satan and all his works; and whether they actually forsake his service by a manifest and plain conversion and turning unto God, engaging themselves by covenant to live in constant and perpetual obedience to all the laws of Christ. They who take upon them these professions, and actually perform these conditions, have a right to demand baptism; and the ministers of Christ are empowered and obliged to minister it to them, that is, to seal unto them the remission of their sins. But if they contumaciously refuse any one of these conditions; if they either will not make profession of the several articles of the Christian faith; or not renounce their old master, and promise universal obedience unto Christ; or continue in the open and avowed practice of any notorious vice, and scandalous profession of life; then the ministers of Christ are equally empowered[8] to reject such men from baptism; that is, to retain their sins, by

[4] See the sense of the ancients upon this point, Book XIX. chap. 1. sect. 2.

[5] Cyril. lib. 12. in Joan. xx. 23. t. 4. p. 1101.

[6] Ambros. de Pœnitent. lib. 1. cap. 7.

[7] See this proved, Book XIX. chap. 1. sect. 2.

[8] The practice of the primitive church, in rejecting all such from baptism who refused any of these necessary conditions, is largely set forth by St. Austin de Fide et Operibus, cap. 15, 17, 18, &c., and both out of him and others, in Book XI. chap. 5. sect. 6. and chap. 7. sect. 6 and 8.

denying them the ordinary means of remission and forgiveness.

"Thus far it is plain, even to a demonstration, that the ministers of Christ are invested with a power of retaining or remitting sins, as they are appointed by Christ to be the administrators of baptism, and subordinate judges of the fitness and qualifications of such persons as are to be admitted to it. For they who are intrusted with the ordinary administration of such a mystery, as conveys or seals remission of sins to men, must be allowed to be the proper instruments of binding and loosing, of retaining and remitting men's sins, whilst they are authorized to admit the worthy, and reject the unworthy from the participation of such a mystery.

"The case is the very same with respect to their power in administering the other sacrament, of the Lord's supper; for that also is a means of conveying and sealing to men the remission of sins; it only differs from baptism in this, that baptism is the first grant of such a blessing, and the Lord's supper is a further confirmation, or continuance and repetition of it. So that as ministers are empowered, by virtue of being stewards of Christ's mysteries, to admit the worthy to a participation of the eucharist, and debar the unworthy, or scandalous and profane livers, from the benefit of such communion; so far they are invested with power of remitting or retaining men's sins, as being proper judges of men's qualifications for the reception or not reception of such a mystery, upon which, in the ordinary method and dispensation of God's grace, remission of sins is made to depend.

"And herein consists the first act of the minister's power in remitting or retaining sins, by applying to men the sacraments of the church, in the use of which remission of sins is granted to all worthy receivers.

"2. The second act of this power is, the declaratory absolution of the word and doctrine, which consists in publishing the terms and conditions upon which the gospel promises pardon and remission of sins. This is either general or particular: the general absolution is such as our church appoints every minister to pronounce after the general confession of sins in her daily service; where it is said, that God hath given power and commandment to his ministers, to declare and pronounce to his people, being penitent, the absolution and remission of their sins; by virtue of which power they declare, that God pardoneth and absolveth all them that truly repent and unfeignedly believe his holy gospel. This in effect is done, whenever a minister publishes or preaches the terms of the gospel to men, declaring in God's name upon what conditions remission of sins may be obtained; and the design of it is to excite and encourage all sinners to repent and turn to God in hopes of mercy, and to give consolation and comfort to all such as do actually and sincerely turn to him. For which reason the church has thought fit to insert this into her public offices, and give it a place in her daily liturgy: which is a peculiar excellency and commendation of her service, the want whereof is lamented in some other churches; for Calvin[9] declares, he was very desirous to have had such a general declaratory absolution inserted into the Geneva liturgy, but could not prevail with his associates to introduce it.

"But besides this general declaratory absolution retained in our service, there is a more particular absolution appointed to be given to single persons in some special cases; that is, when men labour under troubles of mind and disquiet of conscience for any particular sins, which they make confession of to a minister, with proper signs of a genuine repentance. In that case the minister is authorized, not only to give them ghostly counsel and advice, but also the benefit of absolution; that is, if, upon a just examination of their case, he judges them to be real penitents before God, then he may not only declare to them the general promises of pardon, but assure them in particular, that as far as he can judge of their case by the visible tokens and indications of their repentance, he esteems them absolved before God, and accordingly declares and pronounces to them their absolution. This is no infallible judgment indeed, because one man may deceive another by specious pretences of repentance, which are not always real; but yet it is as great an assurance, as a prudent, sagacious, and pious minister of Christ can give to his fellow creature for his satisfaction, without particular inspiration.

"And it must needs be of considerable weight and moment towards the satisfaction and comfort of an afflicted, or a doubtful and desponding soul, to have the declaration of a skilful physician to rely upon; to have one, who by his office is qualified to be a proper judge in such cases, to pronounce his absolution.

"Therefore our church, for the comfort of such penitent sinners, has appointed the minister in two of her offices (the Exhortation to the Communion, and the Visitation of the Sick) to grant such a particular absolution, saying in one of them, 'By the authority of Jesus Christ committed unto me, I absolve thee from all thy offences.' Which though it be not an absolute authority, yet it is such a declaration of God's will, as one man can make to another upon the nicest inquiry into his state and maturest consideration. It is like the priest's declaration under the old law concerning the leper,

[9] Calvin. Epist. de quibusdam Ecclesiæ Ritibus, p. 206.

whether he was clean or unclean: his declaration or judgment concerning such a one is said to be the cleansing or polluting him, the making him clean or unclean; though, strictly speaking, the priest did neither make him leprous nor not leprous, but only declare, upon a just examination and view, whether he was so or not. In like manner St. Jerom, and the Master of the Sentences, and many others after them, have observed,[10] that the ministers of the gospel have that right and office, in remitting or retaining sins, which the legal priests had of old under the law in curing of the lepers; they forgive sins or retain them, whilst they show and declare that they are forgiven or retained by God. And such a declaration, proceeding from the mouth of those who are constituted ministerial judges of particular men's repentance, is justly construed an evangelical absolution, sufficient to minister satisfaction and comfort to the penitent sinner.

"3. The third act of this ministerial power is, intercession with God for pardon of sins through the merits of Christ; which is what the church has always called the absolution of prayer, joined to the absolution of the word and sacraments. This always either implicitly or expressly accompanies the other acts of absolution,[11] as a chief part of the minister's office, which is to intercede and pray to God for the sins of the people. The sacraments are sometimes administered in a precatory form, as is that of the eucharist in our liturgy: 'The body of our Lord Jesus Christ preserve thy body and soul unto everlasting life.' And so[12] some tell us, that baptism now in the Greek church is administered in the like manner and form, *Baptizetur servus Christi in nomine Patris*, &c. Let the servant of Christ be baptized in the name of the Father, Son, and Holy Ghost, by way of prayer. And though our present form, I baptize thee, differ a little from this; yet it is always accompanied with prayers, that God would release the party baptized of his sins, and grant him all the benefits of regeneration. So it is observable, that immediately after the general declaratory absolution in our liturgy, the church appoints the Lord's prayer to be used, as that whereby we obtain a general discharge or remission of sins of daily incursion. And some of our church's forms of absolution are plain and direct prayers for pardon and forgiveness: as that in the communion office after the general confession, where the rubric says, 'Then shall the priest, or the bishop, being present, stand up, and turning himself to the people, pronounce this absolution: Almighty God our heavenly Father, who of his great mercy hath promised forgiveness of sins to all them that with hearty repentance and true faith turn unto him, have mercy upon you, pardon and deliver you from all your sins, confirm and strengthen you in all goodness, and bring you to everlasting life, through Jesus Christ our Lord.' Here the declaratory absolution and the precatory are evidently joined together in the same prayer; for the prayer consists partly of a declaration of God's promises to pardon true penitent sinners, and partly of an intercession with God for actual pardon for those particular sinners, for whom the minister then makes his application and address to the throne of grace. And there are many other such forms of absolution throughout the liturgy of our church; nay, all the absolutions of the ancient church, when penitents, after excommunication and a long course of discipline, were received into grace and favour again, were accompanied with imposition of hands and prayer,[13] to denote that the ministerial benediction and intercession with God for sinners, was a principal, though not the only act of sacerdotal power in the business of evangelical absolution. And this was conformable to the rule of benediction given by Moses to the priests of the old law, Numb. vi. 27, 'They shall put my name upon the children of Israel, and I will bless them.' It is God, properly speaking, that blesses and pardons; and yet when the priests intercede with God for these things, they are also said in their way to give blessing and absolution. All which fully evinces intercession and prayer to be one sort of ministerial absolution, as it is a means in the hand of man, whereby God is pleased to derive and shower down the blessing of his absolution upon his people.

"There is yet a fourth instance of this power of remitting and retaining sins, which is the power of executing church discipline and censures upon delinquents. This consists in excluding flagitious and scandalous sinners from the communion of the church, and receiving penitents into communion again upon their submission and repentance. This is properly a judicial act; for as the ministers of Christ are judges of men's qualifications for their first admission into the church by baptism, so are they judges of their qualifications for their continuance in the same; and as stewards of the mysteries of God, they are obliged to separate the precious from the vile, and distinguish the worthy receivers of those mysteries from the profaners and contemners of them. 'Holy things are not to be given unto dogs, neither are pearls to be cast before swine;' and therefore when men debase themselves to those infamous and brutish characters, they have

[10] See the testimonies of St. Jerom and Peter Lombard related at length, Book XIX. chap. 2. sect. 6.

[11] Compare Book XIX. chap. 1. sect. 5. and chap. 2. sect. 4.

[12] Decretum Eugenii ad calcem Conc. Florent.

[13] See this fully proved, Book XIX. chap. 2. sect. 4.

no longer a right to the privileges of Christian communion, but are to be lopped off as unsound branches, partly to avoid contagion and infection of the sound members, and partly to make the sinners themselves ashamed, and thereby bring them to reformation and amendment.

"It is true, indeed, this power is not arbitrary in the ministers of Christ; they are not to use this severest of punishments for every jealousy and suspicion of evil; nor yet for every light and trivial offence, which may be cured by other remedies; nor for greater and more heinous crimes, without previous admonition, and trial of other methods, which Christ has appointed to be used for the reformation of sinners; nor yet upon whole bodies of men,[14] where there is danger of rooting up the wheat with the tares, and of doing more harm than good to the church, by involving the innocent with the guilty, or laying whole churches under interdict, or occasioning great and dangerous schisms, to the church's manifest peril and destruction. For the design of this power and discipline is for edification, and not for destruction; to cleanse and purify the church, but not to shock its very constitution, and raze and overturn its foundations by an indiscreet and intemperate zeal for the preservation of it. And therefore here, if ever, the ministerial power is to be exercised with the greatest wisdom and prudence, as well as charity and concern for the souls of men, and the good of the whole community. Of all which the ministers of Christ are constituted discretionary judges, invested with power to examine both men's faith and morals, and to exclude the scandalous and profane, and to readmit the truly penitent upon their giving evident tokens of a real conversion, and bringing forth fruits meet for repentance. They are Christ's substitutes and vicegerents in his church, binding and loosing, opening and shutting with the keys of the kingdom of heaven; which so long as they use according to the rules prescribed them by Christ, their sentence, though only ministerial, is of great effect in the external communion of the church at present, and will be found to be of force, as a prejudging forerunner of the sentence of the last day. For under these limitations, and reserving a due prerogative to the infallible sovereignty of Christ, it cannot be doubted, but that whose soever sins they retain, they are retained; and whose soever sins they remit, they are remitted unto them."

I should now have proceeded to the third inquiry, how far it is necessary for all men to submit to the ministerial exercise of this power in all the four several branches of it thus explained? and also have reduced this whole consideration to practice; but because the just examination of these things would exceed the limits of the present discourse, I shall only say these two things by way of general remark in the close of it:

1. That the necessity of absolution in any kind, is the same as the necessity of the thing by which it is wrought and ministered to us. So that if there be any necessity of receiving the two sacraments of baptism and the Lord's supper, there is the same necessity of receiving the sacramental absolution, that is conveyed to us by and in the use of those holy mysteries. If there be any necessity of having the conditions of the gospel, and God's general promises of pardon, declared to us, and applied to our souls; then there is an equal necessity of a general declaratory absolution, to excite our hopes, and invigorate our faith, and engage us to a true repentance and holy obedience. If there be any necessity for an afflicted soul, that labours under insuperable doubts and troubles of mind, to be relieved of her burden, and to be quietly settled in a state of comfort and satisfaction; then there is a like necessity of a particular declaratory absolution. If there be any necessity of the public prayers of the church, to implore God's mercy for the remission of sins to public penitents; then there is the same necessity of a precatory absolution. And finally, if there be any necessity for scandalous sinners, who are cast out of the church, to be restored to the peace and communion of the church again, in order to make their peace with God; then there is a necessity of a judicial absolution. So far as any of these offices and ministries are necessary in the church, so far the several sorts of absolution, that depend upon them, must be concluded to be necessary likewise. And so far a respect is due to them, as the ordinances of God; insomuch as that, where they may be ordinarily had, they are not ordinarily to be omitted, much less to be despised or neglected; because that, in other words, is the same thing as contemning the sacraments of Christ, and public prayer, and preaching, and the discipline and censures of the church, which are ordinances of God's own appointing.

2. The other thing I am to remark in the close of this discourse is, That whatever necessity there be of an external absolution, yet there is still a greater necessity of the internal qualifications of men's own minds in order to receive it. These qualifications are, a true faith, a true repentance, and new obedience of life; which are the gospel conditions, required to make any human absolution effectual to our pardon. God may, and sometimes does, (where there is no contempt,) dispense with the want of the former, but he never dispenses with the latter; for "without holiness no man shall

[14] See the practice of the primitive church illustrated in all these cases, Book XVI. chap. 3. sect. 6, &c.

see the Lord." It is neither confession nor attrition, nor an external absolution of any kind, but only a sincere conversion, that will qualify us for his pardon. And therefore, as ever we expect to be absolved in heaven, we must prepare ourselves with those qualifications, which alone can give us security at the day of judgment. God of his mercy inspire us all with these most necessary qualifications, through the intercession and merits of the great High Priest of our profession, Jesus Christ our blessed Lord and Saviour. To whom, &c.

SERMON II.

WHOSE SOEVER SINS YE REMIT, THEY ARE REMITTED UNTO THEM; AND WHOSE SOEVER SINS YE RETAIN, THEY ARE RETAINED.—JOHN XX. 23.

In the former discourse upon these words, I proposed three inquiries to be made concerning the doctrine and exercise of ministerial absolution:

I. To examine into the nature of this power in general, as it belongs to man; because, notwithstanding the commission and authority granted to man, there is still a vast difference to be made between the power of forgiving sins, as exercised by God, and as exercised by man.

II. To examine more particularly into the nature of the several sorts of absolution, as exercised by man.

III. To inquire how far all men are concerned to submit to the exercise of this power in the several branches of it.

I have already discoursed of the two first, and now proceed to the third inquiry. In resolving of which it will be proper to consider the question distinctly with respect to the four several branches of ministerial absolution: the absolution of the two sacraments; the declaratory absolution of the word and doctrine; the precatory absolution; and the judicial absolution of public discipline. Concerning all which it has already been observed in general, that so far as either the sacraments, or preaching of the word, or public prayer, or public discipline, are of any use or force in the Christian church; so far the absolutions are to be embraced, that attend any of these Divine institutions. I shall now make a more particular inquiry into the necessity of each of them.

1. I begin with the necessity of sacramental absolution. Concerning which it must be asserted, that whatever necessity there is of receiving the sacrament of baptism, or the Lord's supper, appointed for all who have opportunity to receive them; there is the same necessity of receiving the sacramental absolution that depends upon them: because they are so intimately united and linked together, that they cannot be separated from each other; neither does God dispense with the want of sacramental absolution in any case, but where he dispenses with the want of the sacraments themselves. God can indeed, and often does, dispense with the want of the sacraments, and supply them by his extraordinary grace, where, either by the frowardness of his ministers, or their neglect, or some unforeseen accident or natural incapacity, there is no possibility[1] of receiving them; but men's own neglect or contempt of his ordinances will doubtless be imputed to them as a crime, for which they must expect to give account to the sovereign Author of these institutions at his great tribunal. So in the like cases, if men through any unavoidable necessity want the absolution which is exhibited in these two sacraments, God can supply this defect, and by his extraordinary grace grant them absolution in some other way: but if men are justly debarred by the ministers of God from the sacramental absolution, or pardon of sins belonging to these sacraments, not by any necessity, but only for their own contumacy, in refusing to qualify themselves by the performance of such conditions as are required of worthy receivers; in this case the minister's act, in retaining their sins, and refusing them this sacramental absolution, because he judges them apparently unqualified for it, and unworthy of it, will doubtless be ratified and confirmed by Christ, as the supreme Judge, and asserter of his own authority given unto men to retain sins, and deny absolution to those who are professed despisers and contemners of the conditions upon which he has offered it. And this plainly shows what necessity there is of absolution, as that signifies in the first place the absolution of the two sacraments, which is to be granted to the worthy, and (as far as human judgment can go) to no other but those that are worthy of it. Therefore men are to prepare for this absolution, for

[1] See the sense of the ancients upon this point, Book X. chap. 2. sect. 20, 21, &c

the same reasons that they are to prepare for the reception of either of the sacraments, which, in the ordinary methods and ways of dispensing God's grace, are made necessary means of salvation.

2. In the next place, for the declaratory absolution of the word and doctrine. Whatever necessity there is of having the truth of God's promises operatively and effectively applied to men's souls, in order to work in them faith and hope, repentance and new obedience; that very necessity there is of this general declaratory absolution, either at first to create and excite, or afterwards to foment and cherish, these good qualities, upon which the pardon of sins depends. "Faith," we are told, "comes by hearing, and hearing by the word of God." And men do not ordinarily "hear without a preacher," nor ordinarily "preach, except they be sent." Therefore, as it is necessary that men should "believe and repent, and obey the gospel;" so it is necessary they should hear the general declarations of pardon, which God has made in his gospel on the one hand, and the declarations of wrath revealed from heaven, on the other hand, in order to engage them to comply with those terms, upon which the gospel makes the remission of sins to depend. And as the heralds of the gospel are obliged to preach and declare the mind of God toward repenting and unrepenting sinners; so every man is concerned to "hear, and fear, and do no more presumptuously," as he expects to find favour and mercy of God at the day of judgment. This is the necessity and use of declaratory absolutions, both to beget and to support that faith, which is the first spring and foundation of a Christian life. It is the word of God, whereby "we are begotten to a lively hope through the gospel." And we may reasonably suppose, that faith will last no longer than the preaching of the gospel does in the world. When antichrist is come to his full height, and seated in the meridian of his kingdom; when, instead of gospel truth, he shall fill men with error by "signs and lying wonders, and all deceivableness of unrighteousness;" then will be verified what our Saviour has predicted, "When the Son of man cometh, shall he find faith on earth?" It will be impossible to maintain faith generally among men, without the constant declarations of the gospel to support it. And that, if any thing, may convince us of the necessary use of a true gospel ministry, or such an order of men as have authority and commission to declare the will of God, to keep the very faith itself from dwindling into nothing.

But I told you, that besides the general declarations of the gospel, there was sometimes a more particular declaratory absolution necessary to relieve a distressed and wounded conscience, and extricate a desponding and doubtful sinner out of the fears and perplexing labyrinths of sin: and the very necessity of comfort to the feeble-minded, in such a case, is a sufficient argument of the necessity of such an absolution. For whither should an anxious and afflicted soul betake herself, but to those whom God has appointed as proper helps and judges in the case? whose office invests them with something of authority, and whose studies and experience qualify them to search and examine into the nature of spiritual diseases, and then judge of proper methods of cure, and apply suitable remedies to them. Should such a soul fly immediately and solely to God? That indeed would be very well, had she sufficient faith, and courage, and confidence to approach him. But he is the Person whom she has offended, and now she thinks of nothing but his wrath and indignation. Should she betake herself to the Son of God, the great Intercessor and Mediator between God and man? All would be right in this case too, could she come with full assurance of faith to him, as to a merciful and faithful High Priest, who is both able and willing to save to the uttermost all that truly turn to him. But that is her great misfortune, and her very disease, that she dares not come now so boldly to the throne of grace, to find help in time of need: or if she does come even with prayers and tears to Christ, she is afraid they will not be accepted; because she can now hardly look upon him as her Saviour, but as her offended Judge. She is overwhelmed and confounded with her own ingratitude, to think, that she was once like an angel of light, pure and immaculate in the blood of Christ; but now she has deserted her station, and is fallen from grace. She was once enlightened, and had tasted of the heavenly gift, and was made partaker of the Holy Ghost, and tasted the good word of God, and the powers of the world to come; but now she is fallen away, and has crucified to herself the Son of God afresh, and put him to an open shame. She has trodden under foot the Son of God, and counted the blood of the covenant, wherewith she was sanctified, an unholy thing, and has done despite to the Spirit of grace. And how shall she make her addresses to Christ, whom she has thus shamefully abused? What then? Shall she call in the assistance and counsel of the holy angels? They are ministering spirits indeed, sent forth to minister to those who are heirs of salvation; but their ministry is wholly spiritual and undiscernible; they maintain now no visible intercourse with men. But she has need of some visible comforter, to whom she may lay open her grief, and take his advice in the midst of all her sorrows; and this must be some of her visible fellow creatures: and who so proper among these, as those whom God himself has appointed for this purpose? Private men may show their charity to such a languishing soul, as far as their knowledge and their abilities will direct them; but yet, after all,

there may be a necessity of some further assistance. And whence may that more reasonably be expected, than from the mouths of those, whose lips should preserve knowledge; whose studies are the Holy Scriptures; whose business is to explain them to men; to solve their doubts, and take off their scruples; to examine their repentance, and compare it for them with the rule of God's word; and chiefly to guard them against the wiles of Satan, and teach them not to wrest the Scripture to their own destruction? For this is commonly the most difficult part in this whole affair with such distressed souls, to fortify them against the subtleties of Satan, who transforms himself into an angel of light, and teaches them to plead Scripture against themselves; making that which was designed for their health and strength, become to them an occasion of falling; and robbing them of their peace by that very instrument, which was intended to raise their hopes and fix their consolation. Indeed, this is Satan's master-piece of temptation, to accost and tempt us in Scripture dialect, and with the tongue of an angel; and he never speaks more like himself, that is, more artfully subtle and diabolical, than when he speaks to us the language of heaven. Thus he tempted our Saviour himself, by quoting Scripture; by saying, Thus and thus it is written. And what wonder, then, that he should use the same weapon against other men, who are less able to resist him? But the weaker men are, and the more they are liable to temptation, the greater necessity there is in that case, that they should have recourse to some abler hand, who can give them both succour and direction; who can rightly apply the word of God to their souls, and give them a right apprehension both of God and themselves; who can set every text of Scripture, which Satan abuses, in its proper light; and so baffle all his arguments, and countermine all his plots, by the same instrument that he abuses with a design to beguile men and overthrow them.

It would be well, indeed, if all men could so dexterously use the sword of the Spirit, which is the word of God, as that they might be able of themselves (like our Saviour in his temptation) to answer and repel all Satan's sophistry and false glosses upon the holy text, by juster comments and more pertinent allegations. But if this cannot be expected from the weaker sort, it is necessary they should in such cases betake themselves for help to those that are more experienced, and have their senses more exercised to discern between good and evil.

Common reason and interest direct men what to do, when they are under any doubts or difficulties in all other concerns. He who doubts his title to a temporal estate, thinks himself obliged to consult an able lawyer, and take his advice and counsel; and in case of a bodily distemper, every man as readily betakes himself to a skilful and experienced physician; and there is the same reason in spiritual distempers to engage a man to consult a spiritual guide, who may be presumed to be as learned and skilful in his profession as either of the former: his office obliges him to a more general and exact study of the Scriptures; to be more expert and accurate in resolving cases of conscience, and more ready and prepared to answer all the objections, doubts, and scruples, that either the natural weakness of men's own fancies, or the subtlety of Satan, throws in upon their minds. His business and employment is to understand the nature of God, and his religion, and his laws, and the extent of his mercy, and the terms of reconciliation to penitent sinners. He can, therefore, examine men's transgressions, and judge of their repentance and condition better than themselves. Besides all this, he is constituted by God to be his minister here upon earth, for these very purposes; not only in Christ's stead to beseech them to be reconciled to God, and to show them the method of reconciliation, and to pray for them; but also, upon an impartial view of their condition, if he finds them real penitents, to declare them absolved by God, and in his favour; his commission is to assure them, that in spite of all that Satan can suggest to the contrary, there are no sins so great that God cannot pardon, provided they bring the condition of pardon, which is a true repentance: and he can judge, though not with an infallible judgment, yet with a moral certainty, whether their repentance be sincere and perfect; and give them directions to supply it where it is defective; and free them from all unreasonable scruples, which are apt to discompose and trouble their souls: all which must needs be of extraordinary and sovereign use to persons in such a condition, and afford them the surest relief, and the most solid comfort and satisfaction, that can be expected, without a particular revelation, on this side heaven.

So that the use and advantage of spiritual guides in such a case sufficiently discovers the reasonableness and necessity of making application to them, in order to obtain the benefit and comfort of a particular declaratory absolution.

And upon this account our church, though she lays no necessary injunction upon men to make a particular confession of their sins to her ministers in all cases, yet wisely requires them in this one special case of exigency to do it for their own benefit and satisfaction: "If there be any of you, who by this means cannot quiet his own conscience, (viz. by confession to God alone,) but requireth further comfort and counsel, let him go to some discreet and learned minister of God's word, and open his grief; that by the ministry of God's holy word he may receive the benefit of absolution, together with ghostly counsel and advice, to the quieting of his

conscience, and avoiding of all scruple and doubtfulness." This I take to be the true state of the case, as to what concerns the necessity of a particular confession and a particular declaratory absolution. It is not simply necessary for all men, but only for those whose condition is such, that they cannot have peace and satisfaction without it. And therefore the church of Rome is highly to blame, which imposes the absolute necessity of a particular confession, and a particular absolution, universally upon all men, in all cases of mortal sin, under pain of damnation. Our church keeps closer to the rule of Scripture and the practice[2] of the ancient church, in making particular absolution only necessary to those, to whom the necessity of the case itself makes it so. And so much for the necessary use of a general or particular declaratory absolution.

3. The next part of our inquiry is concerning the necessity of a precatory absolution: and of this there is the same necessity that there is of the prayers of the church for pardon of sins. We have observed before, that prayer usually accompanies all other sorts of absolution, and is an ingredient, and, as it were, the form of some of them. The sacraments are ordinarily administered with prayer; and prayer always immediately follows the declaration of God's will and intention to pardon penitent sinners in our public liturgy; and prayer is the means commonly used to reconcile a scandalous offender, who, for his crimes, has been judicially cast out of the church, and is now to be received again to peace and favour. So that as necessary as any of those absolutions are, so necessary is the absolution of prayer, that always so necessarily attends them. If it be necessary at first for a man to be released of his sins by the sacrament of baptism, it must be equally necessary for him to be admitted a member of Christ by the prayer, which the administration of that sacrament either includes or supposes: if he would have absolution by the eucharist, he must receive it with that usual form of prayer which the church has appointed to be used in the distribution of it. If he would have the general or particular declaration of God's will to pardon sinners, made effectual to his own absolution, he must join with the minister in interceding with God for the pardon of his offences. And if, after any excommunication for any scandalous offence, he would be admitted formally into the communion of the church again, he must implore God's mercy by the public ministry and prayer of his priests, because that is the rite and ceremony[3] of such an admission.

4. And hence it follows, in the last place, that when men are formally and judicially cast out of the church, by the power of the keys, for any scandalous offences; there is a necessity they should have as formal and judicial an absolution, by an authentic relaxation of their bonds and censures, to restore them again to the peace and privileges of church communion. For if the excommunication be just, and according to the rules of Christ's gospel, they must either sue for an absolution in the way that he has appointed, or else the bonds that are laid upon them will stand in full force against them; and their excommunication and expulsion from the church on earth will exclude them from the kingdom of heaven. I say, if their excommunication be just, and legally founded; for it is one thing, when men are unjustly cast out of the church, and excommunicated without reason, by the rash exercise of a mere tyrannical and arbitrary power; and quite another thing, when they are legally censured for their impenitency, and obstinate persisting in flagrant and notorious crimes, to the scandal of the church, and reproach of Christ's holy religion. In the former case there is no danger to be feared from excommunication, because it is unjust; but in the latter case it is the most dreadful sentence that can be passed upon earth against man; because what is done upon earth, will be ratified in heaven, and pursue a man unto the day of judgment, unless a timely and sincere repentance and reconciliation intervene to retract the sentence. Which abundantly shows the necessity of this sort of absolution, and of all such things as are previous and necessary to obtain it. Men must truly repent of the crimes which have given the scandal; make humble and public confession of their sins before the church; modestly submit to her discipline, and give evident tokens of their hearty sorrow for having offended God and man; and then, after such satisfaction made, to convince the church of their true repentance by bringing forth fruits meet for it, they must sue to the same hands to admit them to communion, which were the instruments under Christ of taking it from them; and they, by the same authority wherewith they cast them out of the church, will receive them again; making prayer and intercession to God for them; and declaring them absolved from the bonds they were under, and now fully restored to all the privileges of Christian communion. But without such a proper satisfaction as this, if men continue obstinate in their sins, in a careless impenitency, or contumacious neglect or contempt of the church's censures; they may be assured, that an account of these misdemeanors, added to all their other sins, will be required of them another day; when Christ will vindicate the authority of his ministers in all their just proceedings,

[2] See the practice of the primitive church in relation to auricular confession, Book XVIII. chap. 3. sect. 1, &c.

[3] See Book XIX. chap. 2. sect. 4.

and confirm their sentence by his unalterable approbation.

What allowances God will make for some men's weakness or ignorance in this affair, belongs not to us to determine. Neither would it be charitable in us, positively to condemn every man that dies excommunicate *in foro externo*, without an actual relaxation of his bonds, when he was truly penitent, and desirous to be reconciled to the church, but only some unforeseen accident and unavoidable exigency prevented the execution of his good intention. In this case the church has generally accepted the will for the deed, and declared such to be virtually in her communion after death:[4] in like manner as they who die without baptism or the eucharist, not by any contempt, but by some pressing necessity, are charitably supposed to die in God's favour by virtue of their faith and repentance, because they do not despise God's ordinances, but heartily desire them. But the case is otherwise with men that live and die in contempt of the church's discipline and censures: if such men perish, they may thank themselves for it; the church has no power to absolve those who will not be absolved; if they suffer their sins to be retained on earth, they will be retained in heaven, and follow them to the day of judgment.

And so I have done with the third inquiry, how far all men are bound to submit to the lawful exercise of the ministerial power of retaining and remitting sin? or what necessity there is of absolution in the several cases now before us?

"It now only remains, that we reduce this whole consideration to practice, and show what are the proper uses of this doctrine, both as it relates to the ministers of Christ, and his people.

"As to the ministers of Christ, there is no doctrine in the whole body of Christianity more forcible than this, to engage them either, first, to purity and holiness of life; or, secondly, to diligence in their studies and labours; or, thirdly, to fidelity in dispensing the mysteries of Christ, and care in their proceedings with penitent and impenitent sinners.

"1. In the first place, the commission of power to ministers to retain and remit other men's sins, in whatever sense we take it, is a great engagement on them to lead holy and pure lives themselves. For it looks like an absurdity in practice, and is too often really thought so, that men should be qualified to forgive other men's sins, who are loaded with guilt and impurity themselves. There is nothing so natural and obvious as, 'Physician, heal thyself;' and therefore, if it be not a real objection against their office, yet it is an unanswerable one against their persons. If it do not destroy the tenor of their commission in the nature of the thing, yet it certainly diminishes their authority and reputation in the opinion of men; when every profligate sinner can retort upon them, and say, 'Thou that teachest another, teachest thou not thyself? Thou that preachest a man should not steal, dost thou steal? Thou that sayest a man should not commit adultery, dost thou commit adultery? Thou that makest thy boast of the law, through breaking the law dishonourest thou God?' It must needs take off very much from the veneration of the sacrament of baptism, to have a man pretend to wash away the sins of others, who is himself polluted and profane; and equally diminish the reverence which is due to the tremendous mystery of the eucharist, to have it ministered with unholy hands. It cannot relish well with men, to hear an unsanctified mouth give blessing to others, who, in effect, is cursing himself; praying, that the blood of Christ may preserve others to eternal life, whilst he himself is eating and drinking his own damnation, not discerning the Lord's body. But above all, such a man cannot with any tolerable decency or freedom discharge the office of punishing and correcting others, who is himself more justly liable to rebuke and censure. With what face can he debar others from baptism or the eucharist, who is himself unqualified to receive either? or exclude others from the church, who is himself unworthy to enter into it? Nothing, therefore, can be a greater engagement upon ministers to lead holy and pure lives, than the consideration of the commission which Christ has given them to retain or remit other men's sins, whether in a sacramental way, or a declaratory way, or a precatory way, or a judicial way; because, without purity they can by no means answer the end of this office, and the nature of their trust, but their mal-administration will rise up in judgment against them and condemn them.

"2. A second thing, which this office of retaining and remitting sins requires of ministers, is great diligence in their studies and labours, without which they can never be able sufficiently to discharge it. The church, indeed, has made some part of this work tolerably easy, by a prudent provision of many proper general forms of absolution; such as the forms of administering the absolution of the two sacraments, and many general forms of declaratory and precatory absolution; to which in her wisdom she may add proper forms of excommunication and judicial absolution. But when this is done, there still remains a great deal more belonging to the full discharge of this office, for which the church can make no particular provision, and therefore that must be left to the industry and diligence of ministers in their particular studies and labours. And this requires both a diffused knowledge and great

[4] See Book XIX. chap. 2. sect. 11.

application, to be able to understand the nature of all God's laws, and the bounds and distinctions betwixt every virtue and vice; to be able to resolve all ordinary cases of conscience, and answer such doubts and scruples as are apt to arise in men's minds; to know the qualifications of particular men, and the nature, and degrees, and sincerity of their repentance, in order to give them a satisfactory answer to their demands, and grant or refuse them the several sorts of absolution, as they shall think proper upon an impartial view of their state and condition. He that thinks all this may be done without any great labour and study, and a diligent search of the Holy Scriptures, the rule and record of God's will, seems neither to understand the nature of his office, nor the needs of men; nor what it is to stand in the place of Christ, and judge for him between God and man. 'The priest's lips should preserve knowledge;' and a man that considers the large extent of that knowledge, together with the great variety of cases and persons, to which he may have occasion to apply it, would rather be tempted to cry out with the apostle, 'Who is sufficient for these things?' And if this be not an argument to engage a man to industry in the office of a spiritual physician, it is hard to say what is so.

"3. But as this consideration is an argument for purity and industry, so it is no less an engagement to fidelity also. 'It is required in stewards,' the apostle tells us, 'that a man be found faithful;' and more especially in those who are stewards of the mysteries of God, because that is the greatest concern of any other. It was Moses's argument to temporal judges, Deut. i. 17, 'Ye shall not respect persons in judgment, for the judgment is God's:' and the argument will hold much stronger in spiritual judgment, because the consequence of the decision is of greater importance. Here, then, a just medium is always to be observed between flattery and an imperious stiffness and moroseness; between too great indulgence on the one hand, and too great severity on the other. The judgment is God's; and therefore men are neither to be absolved nor condemned at the mere arbitrary will of the minister, but by the rules prescribed by the sovereign Lord. If men are either to be received into the church, or to be cast out of it, the only thing here to be regarded, is their performance or not performance of the conditions which the gospel requires. No true penitent is to be denied absolution in any kind: no impenitent person for any favour or respect to have the benefit of it. If men are qualified for baptism or the eucharist, it is not in the minister's power, properly speaking, to deny them the privilege of either: if they are utterly unqualified, it is not in his power to admit them to either, if he will be just to his commission, and faithful to his trust. So neither can he, with an equitable judgment, declare the impenitent to be absolved, nor retain the sins of the penitent: for this is slaying the souls that should not die, and saving the souls alive that should not live: it is making the heart of the righteous sad, whom God has not made sad; and strengthening the hands of the wicked, that he should not return from his wicked way, by promising him life; as God complains of the false prophets by the prophet Ezekiel, chap. xiii. 19, 22. All this is a manifest abuse of the ministerial power, tending directly to discourage virtue and encourage vice; and all such judgments God himself will reverse, and punish the mal-administration of his unfaithful stewards. For as in all cases, so especially in this, he that justifieth the wicked, and he that condemneth the just, even they both are abomination to the Lord. Nothing, therefore, is more necessary in the stewards of the mysteries of God, than that they be found faithful; giving to every man his proper portion, peace to the righteous, and terror to the wicked: otherwise they are threatened to have their portion with the hypocrites, where shall be weeping, and wailing, and gnashing of teeth. It is a Pharisaical arrogance, St. Jerom[5] says, for a bishop or a priest, under pretence of having the keys of the kingdom of heaven, to assume to himself the power of condemning the innocent, or of absolving the guilty. He that does so, abuses his commission, and must expect to give account to God of his illegal administration.

"Thus we see what ties and obligations this doctrine lays upon the stewards of God, to be, first, holy; secondly, diligent; thirdly, faithful in their service. Let us now see what influence the same doctrine ought to have upon all God's people.

"And here I shall not insist upon any personal respect, that is due from them to ministers, as the messengers of God and ambassadors of Christ, but only as a religious regard is to be had to the several parts of the office with which they are intrusted. If God has made them the instruments of remission of sins by those four several ways of absolution, then, at least, it becomes every one to be careful, that he do not by any wilful neglect or contempt deprive himself of any one of those methods of expiation.

"If baptism be an ordinary means of remission of sins, and so necessary by Divine command, that unless a man, who has opportunity, be born again of water and of the Spirit, he cannot enter into the kingdom of God; it highly concerns all men, who are unbaptized, to present themselves and their children to Christ's holy ordinance, that they may

[5] Hieron. Com. in Mat. xvi. t. 9. p. 49. See the place at length, Book XIX. chap. 2. sect. 6.

receive the promised remission of sins, and spiritual regeneration. For though zealous martyrs and pious catechumens be saved in an extraordinary way, yet that is not the condition of despisers.

"Again, if the eucharist be another means of absolution, then it equally concerns men not to live in the manifest neglect or contempt of that holy ordinance, but to be as frequent as they can in the reception of it, lest they deprive themselves of the grace and pardon exhibited and sealed in that sacred institution.

"If the prayers of the church be likewise a further means of deriving God's blessing upon his people, that must be allowed to be an argument to engage men constantly to attend them; and every man should be glad to say, 'We wait for thy loving-kindness, O Lord, in the midst of thy temple.'

"If the declaratory absolution be of any use and comfort to true penitents, that should make men strive to be among the first and foremost in God's service, and rather wait at the posts of his doors before the service begins, than come dropping in afterwards, as if they were haled into God's presence, when they have lost both the benefit of their own confession and his absolution.

"If a particular declaratory absolution be of any use and service to an afflicted conscience and a doubtful mind, that should engage those who cannot quiet their own conscience, but require further comfort or counsel, to have recourse to some discreet and learned minister of God's word, and open their grief; that by the ministry of God's holy word they may receive the benefit of absolution, together with ghostly counsel and advice, to the quieting of their conscience, and avoiding all scruple and doubtfulness.

"Lastly, If it be necessary, that when men are excommunicated and cast out of the church for any scandalous crimes, they should endeavour to reconcile themselves again to God and his church, by obtaining a judicial absolution; that shows what reverence is due to church discipline and censures, that are justly passed upon them; and that a wilful neglect and contempt of reconciliation in such a case may prove more fatal to them than they are apt to imagine; and in the just judgment of Christ, confirming the sentence of his ministers, finally exclude them from the kingdom of heaven.

"But when they have paid the greatest outward reverence imaginable to these ordinances, there is one thing still behind to make them effectual; which if it be wanting, all the absolutions in the world will avail them nothing: and that is the internal qualifications of their own hearts and souls by an unfeigned repentance and sincere obedience; without which all the rest are but mere forms, that cannot completely operate, whilst men put in bars and impediments against them. For all absolutions are conditional, and suppose repentance and obedience, before they confer any real benefit on the sinner. The minister can only lend his mouth or his hand toward the external act of an absolution; but he cannot absolve internally, much less the unqualified sinner. Christ himself has assured us, that unless men repent they must inevitably perish; and that unless they forgive men their trespasses, their heavenly Father will not forgive them their trespasses. Now, it would be absurd to think, after this, that a sinner who performs neither of these conditions, should, notwithstanding, be pardoned by God, continuing impenitent still; and only because he chances surreptitiously to be loosed on earth by some error or fraud, that therefore he should be also most certainly loosed in heaven. This were to imagine one of the vainest things in the world, that Christ, to make his priest's words true, would make his own words false; as they must needs be, if any outward absolution, given by a fallible and mistaken man, could translate an impenitent sinner into the kingdom of heaven.

"I say not this to lessen the reverence that is due to any of the forementioned sorts of absolution, but that the ordinances of God may have their proper effect upon us, whilst the outward and inward acts go together, to make up the perfect work of an absolution; and that Christ may not say to us at the last day, 'These things ought ye to have done, and not to have left the other undone.' He that despises an absolution of any kind, which God has appointed, despises indeed the ordinance of God: but he that receives it without repentance and obedience, despises the weightier things of the law, and only strains at a gnat to swallow a camel. Let not such a man think he shall receive any absolution from the Lord, who thus mangles his institution; who puts asunder what God has joined together, and dares to promise himself security where God threatens only ruin and destruction. If we would be secure, we must use God's ordinances as he has appointed them; join the outward and the inward act together; let the repentance and obedience of our souls prepare the way for the ministry of his priests: and then, what sins they remit upon earth shall be remitted in heaven; when Christ shall confirm the word of his servants by his irreversible sentence of absolution, saying, 'Come, ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world.' Which God grant unto us all, through the merits of the same Jesus Christ our Lord: to whom, with the Father and the Holy Ghost, be ascribed all honour and glory, world without end. Amen."

A LETTER

TO THE

RIGHT REVEREND THE LORD BISHOP OF WINCHESTER,

CONCERNING

THE NECESSITY OF ABSOLUTION; SHOWING HOW FAR THAT NECESSITY EXTENDS, AND WHERE IT CEASES.

My Lord,

Having read your question about the indispensable necessity of absolution in all cases whatsoever, I could not but return this speedy answer to it, (so far as the time would permit,) from what occurred to my thoughts without any tedious inquiry; reserving the further improvement and confirmation of the things here suggested to a little more diligent search and consideration.

The question about absolution may respect either, I. That absolution which is given upon private or auricular confession; or, II. The general absolution, that is given upon a general confession, as it is in our daily service; or, III. That absolution which is dispensed in the administration of the sacraments, which are indulgences[1] in the true sense, and God's ordinances for obtaining absolution and remission of sins; or, IV. The absolution that is given by the relaxation of church censures. Now, the absolute and indispensable necessity of these several sorts of absolution in all cases whatsoever, is what, I conceive, neither our church nor the primitive church ever asserted; though some of them are of much greater necessity than others.

For, I. As to the absolution that is given upon private or auricular confession; that cannot be more necessary than the confession itself, which (except in some particular cases) is only matter of advice, rather than strict duty imposed upon all men under pain of damnation; as our church with the primitive church defends, against the Roman imposition and yoke laid upon men's consciences in this particular. I shall not trouble your Lordship with any ancient testimonies upon this point, unless you please to require me to transcribe some, which may easily be done out of Chrysostom and many others.[2]

II. As to a general absolution upon a general confession, which is retained in our liturgy, and is a defect in Calvin's; though it must be owned to be a very useful and edifying part and form of Divine service, (which Calvin wished[3] to have inserted into his liturgy, but could not obtain it,) yet we cannot say, it is so necessary a part of Divine service, as that no church can have absolution or remission of sins without such a form of absolution in her liturgy. For this would be an unwarrantable condemnation of all churches that want that particular form, though they otherwise supply it by preaching, which is the declaratory application of God's promises of pardon to his church.

III. The necessity of the absolution which is dispensed in the administration of the sacraments, is indeed the same as the necessity of the sacraments themselves. So far, therefore, as the one is necessary, so far the other is necessary likewise. But the necessity of the sacraments is not so absolute and indispensable, as that God cannot in many cases (where there is no contempt of his ordinances) save men without the external application of them by the hand of his ministers. For in the case of extreme necessity, where men desire baptism, but cannot possibly have it, God supplies invisibly by his Holy Spirit what is wanting in the outward administration. I believe there is not one ancient writer, that has spoken upon this head, but has allowed of some exceptions in reference to the absolute necessity of baptism; particularly in two cases: 1. In the case of martyrdom, which they call second baptism, and baptism in men's own blood. 2. In case of a true faith and conversion without martyrdom, when a catechumen was preparing for baptism, and desirous of it, but by some sudden accident was taken away before he had any opportunity to receive it. In these two cases they always maintained, that the baptism of the Spirit might be had without the external washing of water. Tertullian, speaking of martyrdom,[4]

[1] See the sacraments proved to be true indulgences and absolutions, Book XIX. chap. 1. sect. 2 and 3.

[2] See the testimonies against the necessity of auricular confession, collected, Book XVIII. chap. 3. sect. 1 and 2, &c.

[3] Calvin. Epist. de quibusdam Eccles. Ritibus, p. 206.

[4] Tertul. de Baptismo, cap. 16. p. 263. Edit. Rigalt. Par. 1641. Est quidem nobis etiam secundum lavacrum, unum et ipsum, sanguinis scilicet: de quo Dominus, Habeo, inquit, baptismo tingi, quum jam tinctus fuisset.——Hic est baptismus, qui lavacrum et non acceptum repræsentat, et perditum reddit.

calls it the Christian's second baptism, and the baptism of blood, of which our Lord spake, when he said, I have a baptism to be baptized with, when he had been baptized before in water. And he adds, This is that baptism, which both compensates for the want of baptism, and restores it, when men have lost the former benefit of it. Cyprian[5] has the like observation upon the catechumens, who were called to shed their blood for Christ before they could be baptized in water: "We are not to imagine," says he, "that these men were deprived of the sacrament of baptism; for they were baptized with the most glorious and honourable baptism of their own blood, of which our Lord himself said, 'I have another baptism to be baptized with.'" And he proves, that they who were thus baptized in blood, are also sanctified and perfected by their sufferings, and made partakers of the promises of God, from the declaration made by our Saviour in his gospel, when he said to the thief upon the cross, who believed in him and confessed him, "To-day thou shalt be with me in paradise."

St. Austin often mentions this argument of Cyprian, and improves it, to show, that not only martyrdom may sometimes supply the room of baptism, but also a true faith and conversion,[6] in case of absolute necessity, when a man has no opportunity to receive baptism. That martyrdom, says he, may sometimes supply the place of baptism, is well argued by Cyprian from the example of the thief, to whom, though he was not baptized, it was said, "Today thou shalt be with me in paradise." Which argument I considering over and over again, do find, that not only martyrdom for the name of Christ may supply what is wanting in baptism, but also faith and a true conversion of heart, if through straitness of time there be no opportunity to celebrate the mystery of baptism. For neither was that thief crucified for the name of Christ, but for the deserts of his own crimes; neither did he suffer because he believed, but only believed whilst he was suffering. Therefore his case declares how far that saying of the apostle avails without the visible sacrament of baptism, "With the heart man believeth unto righteousness, and with the mouth confession is made unto salvation." But then only this invisible operation is performed, when baptism is excluded purely by the article of necessity, and not by any contempt of religion. He argues in another place from the same example of the thief,[7] that many are sanctified by the invisible grace without the visible sacraments: but yet the visible sacrament is not therefore to be contemned; because the contemner of it cannot by any means be sanctified by the invisible grace thereof.

Hence it is evident, that, according to St. Austin's doctrine, it is not the bare want of an external ordinance, to wit, sacramental absolution, in the article of necessity, when it cannot be had, but the contempt of it when it may be had, that is pernicious and destructive of salvation. For God is able to supply the invisible grace without the visible means in such cases to true believers.

And upon this ground St. Ambrose comforts the surviving friends of the younger Valentinian, who was only a catechumen preparing for baptism, but suddenly slain by the treachery of Arbogastes, before he could come to St. Ambrose to receive it. If any one, says he,[8] be troubled, that the mysteries of baptism were not solemnized upon him, he may as well conclude, that the martyrs are not crowned, if they die whilst they are only catechumens. But if they be washed in their own blood, then this man also was washed by his piety and desire of baptism.

So that in such cases of necessity, baptism *in voto* is equivalent to actual baptism. God accepts the will for the deed, when men do what they can do, and where it is not contempt of the sacrament, but some unavoidable exigency, that hinders their reception of it. Now then, if in such cases the external ministry of baptism be not absolutely necessary, the external ministry of absolution cannot be necessary neither; for they are the very same act in this particular; and if God can save martyrs and believers without visible and external baptism, he can absolve them without visible and external absolution.

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[5] Cypr. Ep. 73. ad Jubaianum, p. 208. Edit. Oxon. Deinde nec privari baptismi sacramento, utpote qui baptizentur gloriosissimo et maximo sanguinis baptismo, de quo et Dominus dicebat, habere se alio baptismo baptizari.

[6] Aug. de Bapt. lib. 4. cap. 22. t. 7. p. 56. Edit. Paris. 1635. Baptismi sane vicem aliquando implere passionem, de latrone illo, cui non baptizato dictum est, Hodie mecum eris in paradiso, non leve documentum B. Cyprianus assumit: quod etiam atque etiam considerans, invenio non tantum passionem pro nomine Christi id quod ex baptismo deerat posse supplere, sed etiam fidem conversionemque cordis, si forte ad celebrandum mysterium baptismi in angustiis temporum succurri non potest. Neque enim latro ille pro nomine Christi crucifixus est, sed pro meritis facinorum suorum; nec quia credidit, passus est, sed dum patitur credidit. Quantum igitur valeat sine visibili sacramento baptismi quod ait apostolus, Corde creditur ad justitiam, ore autem confessio fit ad salutem, in illo latrone declaratum est: Sed tunc impletur invisibiliter, cum ministerium baptismi non contemptus religionis, sed articulus necessitatis excludit.

[7] Aug. Quæst. 84. in Levit. t. 4. Proinde colligitur, invisibilem sanctificationem quibusdam affuisse atque profuisse sine visibilibus sacramentis.—Nec tamen ideo sacramentum visibile contemnendum; nam contemptor ejus sanctificari nullo modo potest.

[8] Ambros. Orat. de Obitu Valentin. t. 3. p. 10. Edit. Basil. 1567. Si quia solenniter non sunt celebrata mysteria, hoc movet: ergo nec martyres, si catechumeni fuerint, coronantur. Quod si suo abluuntur sanguine, et hunc sua pietas abluit et voluntas.

Abundance of authorities[9] might be added more, if there were occasion, in favour of this assertion.

IV. For the absolution which is dispensed by the relaxation of the church censures: though it be necessary to be sought after by true penitents in all ordinary cases; yet there are several exceptions in cases extraordinary, in which pardon may be had without a formal absolution. For what if a bishop, for unjust ends, or unworthy designs, refuse to absolve a true penitent, when he both gives true signs of repentance, and humbly desires absolution? Will there be no pardon in heaven for him, who is so unjustly and imperiously denied it on earth by men, who exceed their power, which is only given to edification, and not to destruction? Bellarmine indeed says so, *Negatur remissio illis, quibus noluerint sacerdotes remittere. Bellarm. de Pœnit. lib.* 3. *cap.* 2. *t.* 2. *p.* 1287. *Ed. Lugd.* 1587. Forgiveness is denied to them, whom the priests will not forgive. But this is carrying the priest's authority to an absolute sovereignty and arbitrary power, which has no foundation in Scripture or the ancient canons of the church. For even Pope Gregory the Great could tell these men, that the bishop, in binding and loosing those under his charge, doth often[10] follow the motions of his own will, and not the merits of the cause: in which case, he deprives himself of this power of binding and loosing, who exercises the same according to his own will, and not according to the deserts of those that are subject to him; that is, his unrighteous judgment is of no value; it is reversed and cancelled in the court of heaven.

The case here is the same as refusing baptism to those who are qualified for it, and very desirous to receive it: the minister's unjust refusal in that case is a very great crime; but it will not prejudice the person, that by such default is forced against his will, or the will of his parents, to die without it. As Hincmar,[11] archbishop of Rheims, long ago observed, for the consolation of those in France, whose children died without baptism, through the perverse obstinacy of Hincmar, bishop of Laon, who refused them baptism, when their parents and godfathers earnestly desired it. "As the benignity of the Almighty," says he, "perfected in the thief upon the cross what was wanting in the sacrament of baptism, and the communion of the body and blood of Christ, because it was wanting not through pride or contempt, but by necessity; and as the faith of others, that is, of godfathers or sureties, answering for little children in baptism, is sufficient for the salvation of those who are born obnoxious to original, that is, other men's sin; so the faith and earnest desire of parents or godfathers, who believe with the heart, and with the mouth desire baptism for their infants, who could not obtain it, because you ordered it to be denied them, shall be of advantage to those infants, by the gift of him, whose Spirit is the author of regeneration, and who blows where he listeth." Whence he concludes in the case of church censures, that if a penitent dies without absolution, only because the bishop for his own will, or any unjust cause, refuses to absolve him; the bishop's unjust judgment and obstinate refusal cannot prejudice the true penitent, as to what concerns his salvation and absolution in the kingdom of heaven.

2. But it may happen, that a man may not only desire absolution, but the minister also may be disposed and ready to grant it him; and yet by some unavoidable accident the man may die without it: in this case the canons have determined, that the want of absolution is no prejudice to his salvation; nor was he to be treated as an excommunicate person, but to be received into the communion of the church, and to be commemorated among the faithful in the service of the church, though he died without absolution. The fourth council of Carthage,[12] and the second of Vaison, are plain to this purpose.

These allegations plainly show what sort of necessity there is of absolution: that it is not the bare want of it, but the proud neglect or contempt of it, when men are under church censures, that makes it hurtful. But where there is no contempt or neglect salvation may be had without it. And therefore a true penitent, who submits to the church's discipline, can be in no danger; because, though he may chance to die without absolution, either through necessity or the obstinate will of his superiors, yet he dies in no neglect or contempt of the church; and, consequently, has no reason to doubt of God's absolution in heaven.

Your Lordship's observation concerning the form, *Absolvo te*, is very just: it is but of a late date, a little before the time of Thomas Aquinas. The ancient

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[9] See more authorities of this kind, Book X. chap. 2. sect. 20 and 21.

[10] Greg. Hom. 26. in Evangel. t. 3. p. 83. Edit. Antw. 1615. Sæpe in ligandis et solvendis subditis, suæ voluntatis motus, non autem causarum merita sequitur. Unde fit, ut hac ipsa ligandi et solvendi potestate se privet, qui hanc pro suis voluntatibus, et non pro subjectorum moribus exercet.

[11] Hincmar. Opusc. 50. Capitulor. cap. 48. t. 2. p. 572. Edit. Paris. 1645. Sicut in illo latrone, quod ex baptismi sacramento et communicatione corporis et sanguinis Christi defuerat, complevit Omnipotentis benignitas, quia non superbia, vel contemptu, sed necessitate defuerat; et sicut parvulis naturali, id est, alieno peccato, obnoxiis, aliorum, id est, patronorum fides pro eis respondentium in baptismate fit ad salutem; ita parvulis, quibus baptismum denegari jussisti, parentum vel patronorum corde credentium, et pro parvulis suis fideli verbo baptisma expetentium, sed non impetrantium, fides et fidelis postulatio prodesse potuerit, dono ejus, cujus Spiritus quo regeneratio fit, ubi vult, spirat.

[12] Conc. Carth. 4. can. 79. Conc. Vasens. can. 2. See more of this, Book XIX. chap. 2. sect. 11

forms were all either deprecatory, or declaratory, or else consisted in the application of the sacraments of the church. And the *Absolvo te* is to be reduced to some of the other forms, as the elder schoolmen commonly reduce it: of all which I will endeavour to give your Lordship a more full account in my next, taking it for an honour that you are pleased to command any service of this kind from,

My Lord,

Your most dutiful and obedient Servant,

JOSEPH BINGHAM.

Winton, Feb. 17, 1712-13.

A SECOND LETTER

TO THE

RIGHT REVEREND THE LORD BISHOP OF WINCHESTER,

CONCERNING

THE NECESSITY OF ABSOLUTION, ETC.

MY LORD,

IN addition to my last, upon the fourth sort of absolution, which is the relaxation of church censures, I have observed the opinion of Cyprian to be conformable to what I wrote before, that if penitents died in the time of their penance, before they could have the bishop's absolution, their salvation was not to be despaired of. For "the Divine mercy," says he,[1] "is able to heal them: yet we ought not to be too hasty, nor do any thing inconsiderately or rashly; lest if we over-hastily give them the peace of the church, (that is, restore them to communion before their penance was completed,) we thereby more grievously offend and provoke the Divine indignation." The case was this: Cyprian was now in exile, and some that had lapsed were very impatient to be restored to communion before his return; which he would not consent to, but ordered them to stay till he should return in peace, and then their cause should be examined before all the church. If in the mean time they died, whilst they were doing their penance, God's mercy was able to save them without a formal absolution, or reception into the external communion of the church. The learned Bishop Fell gives the same exposition upon the place: *Recte auctor noster hoc sufflamen opponit lapsis, qui ad pacem festinarent, quod non de eorum salute conclamatum sit, quibus ante pœnitentiæ decursum mori contingeret.* Our author, says he, rightly opposes the lapsers, who were so hasty to be restored, and stops their mouths with this consideration, that their salvation was not to be despaired of, though they chanced to die before their course of penance was ended.

2. It may be observed further, that, according to the discipline sometimes used in the ancient church, some very gross and scandalous criminals were denied the communion and peace of the church, even at the point of death; the design of which was not absolutely to exclude them from heaven, for they still exhorted such to repent and cast themselves on God's mercy, though they thought fit to exercise such severity and rigour toward them in debarring them wholly from the communion of the church, to be an example and terror to others. There are no less than twenty canons in the council of Eliberis[2] to this purpose, that if men were guilty of such or such crimes there specified, they should not be restored to communion, no, not at their last hour. The great council of Sardica has a canon of the like import, to repress some exorbitant usurpations of ambitious men; Such a one, say they,[3] shall not be admitted to lay communion even at his last hour. Yet they exhorted all such to repent, and accordingly admitted them to a state of public and perpetual penance in the church, at the same time that they denied them communion to the last; as we find in the letters of Pope Innocent I., who says,[4] The ancient custom was to admit such to penance, but to refuse them communion. And so St. Ambrose,[5] writing to a consecrated virgin who had sinned, bids her to continue in doing penance

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[1] Cypr. Ep. 12. al. 17. Edit. Oxon. p. 39. Potens est Divina misericordia medelam dare: properandum tamen non puto, nec incaute aliquid et festinanter gerendum, ne, dum temere pax usurpatur, Divinæ indignationis offensa gravius provocetur.

[2] Conc. Eliber. can. 1, 2, 3, 6, 7, 8, 10, 12, 13, 17, 18, 63, 64, 65, 66, 70, 71, 72, 73, 75. See these canons produced at large, Book XVIII. chap. 4. sect. 4.

[3] Conc. Sardic. can. 2. Conc. t. 2. p. 628. Τοιοῦτον μηδὲ ἐν τῷ τέλει λαϊκῆς γοῦν ἀξιοῦσθαι κοινωνίας.

[4] Innoc. Epist. 3. ad Exuperium, cap. 2. Conc. t. 2. p. 1255. Consuetudo prior tenuit, ut concederetur pœnitentia, sed communio negaretur.

[5] Ambros. ad Virg. lapsam, cap. 8. t. 1. p. 137. Edit. Antwerp. 1567. Inhære pœnitentiæ usque ad extremum vitæ, nec tibi præsumas ab humano die posse veniam dari:

all her life, and not expect to be pardoned by human judgment; for she that had sinned immediately against the Lord, was to expect absolution from him alone in the day of judgment.

St. Austin[6] makes the same observation upon such as relapsed into great crimes after they had once done public penance in the church, that a second penance was not allowed them in the church; yet if they turned to God, he would not forget his mercy and patience toward them. In all these cases, therefore, they thought pardon might be had from God, though no absolution was granted them in the church.

Nor were even the Novatians so rigorous in this matter as to assert, that God could not pardon those sinners, whom they refused to receive into communion, when they had once lapsed after baptism; for they encouraged them to repent, and hope for mercy from God, though they denied that the church had any power to receive them. This appears from what Asclepiades, the Novatian bishop, said in his discourse with Atticus, bishop of Constantinople, as Socrates[7] relates it, that they dealt with their laity only as the catholics sometimes did with their clergy, excluding them from communion unto death, and leaving their pardon only to God. This account is given of the Novatians by Bishop Fell,[8] Bishop Beveridge,[9] Cardinal Bona,[10] Albaspinæus,[11] and others.

Whence it is evident, that though men might be denied absolution on earth, either for discipline's sake, as it was sometimes in the church; or out of an erroneous opinion, that the church had no power to receive sinners lapsing after baptism, as it was among the Novatians; yet if they truly repented, they might, notwithstanding, by God's mercy be received to pardon and absolution in heaven. All these cases do evidently show it, according to the sense of the ancient church.

As to the form, *Absolvo te*, it is agreed by learned men, that it was not known in the practice of the church till a little before the time of Thomas Aquinas, who was one of the first that wrote in defence of it, about the year 1250, against another doctor, who maintained, that the ancient form of absolution in the church was not this indicative form, but an impetratory form, by way of prayer, deprecation, or benediction; viz. *Absolutionem et remissionem tribuat tibi Omnipotens Deus*, Almighty God grant thee absolution and forgiveness. This doctor alleged the authority of Gulielmus Altissiodorensis, Gulielmus Parisiensis, and Hugo Cardinalis, and said, it was not then above thirty years since this new form began to be used. Thus much is collected out of Aquinas 22. Opusculum de Forma Absolutionis, cap. 5. But we have not that book of Thomas in our library here, and therefore I only send you what Morinus, among the papists, (not to mention Bishop Usher,[12] or any other protestant writers,) has observed out of him concerning the original of this form, *Absolvo te*. Morinus [13] proves at large out of all the ancient rituals and fathers, that the old forms of absolution were all by way of prayer. And it is evident from the ceremony of imposition of hands, which was always accompanied with prayer.

But our quarrel is not with the newness of this form, but with the abuses the Romish church has affixed to it. For otherwise it may be lawfully used, as our church appoints in the office of Visitation of the Sick. But then this power of absolution is only ministerial, not authoritative properly, directly, and absolutely, as our writers commonly word it. It does not empower a priest to open and shut heaven at his pleasure; to absolve without a true contrition, by a sacramental act conferring grace *ex opere operato*, actively, immediately, and instrumentally effecting the grace of justification, as Bellarmine would have it; who makes it also so necessary, that a man is denied forgiveness, if the priest will not forgive him. It may be authoritative and judicial in a ministerial way, as all acts of the ministry are under God. A declarative absolution is so, and an impetratory absolution is so, and an applicatory absolution by the sacraments is so, and a relaxation of church censures is the same likewise. For all these are done by virtue of power and authority, communicated by God to his ambassadors, as the ministers of reconciliation under him. Only in all these absolutions they must observe certain rules, which if they do not observe, their absolution avails nothing in the court of heaven.

Now this form, *Absolvo te*, is understood to be no other than the declaratory absolution upon a special and particular case; when a man having confessed his sins, and given signs and indications of a true repentance, the minister declares to him, that as far as he can judge by the rule of God's word, his repentance is true; and therefore by virtue thereof he declares him absolved by God: but if there be

quia decipit te, qui hoc tibi polliceri voluerit. Quæ enim proprie in Dominum peccasti, ab illo solo te convenit in die judicii expectare remedium.

[6] Aug. Ep. 44. ad Macedon. t. 2. p. 92. Quamvis eis in ecclesia locus humillimæ pœnitentiæ non concedatur; Deus tamen super eos suæ patientiæ non obliviscitur. See more of this, Book XVIII. chap. 4. sect. 1.

[7] Socrat. lib. 7. cap. 25. p. 367. Edit. Paris. 1668. Θεῷ μόνῳ τὴν συγχώρησιν αὐτῶν ἐπιτρέποντες.

[8] Fell, Not. in Cypr. Ep. 17. p. 39.

[9] Bevereg. Not. in Can. 8. Conc. Nic. t. 2. p. 68.

[10] Bona, Rer. Liturgic. lib. 1. cap. 17. n. 3.

[11] Albaspin. Observat. lib. 2. cap. 21.

[12] Usher's Answer to the Challenge, p. 89. Lond. 1686.

[13] Morin. de Pœnitent. lib. 8. cap. 9, 10, &c.

any illusion or deceit in the man's heart, which no mortal can judge of, then, notwithstanding this favourable sentence and judgment of the priest, God will judge him over again, and rectify the error of the keys by his unerring judgment.

Peter Lombard, among the schoolmen, (following St. Jerom among the ancients,) gives this as the most probable sense of that kind of absolution. "We can affirm with truth," says he,[14] "and believe, that God alone remits and retains sins: and yet he has given the power of binding and loosing to the church; but he binds and looses after one manner, and the church after another. For he remits sin by himself alone, who cleanses the soul from inward pollution, and looses from the debt of eternal death. But he has not given this power to the priests, to whom yet he has given the power of binding and loosing, that is, of showing who are bound or loosed. Upon which account the Lord, having first cured the leper by himself, afterwards sent him to the priests, by whose judgment he was to be declared clean. And having first raised Lazarus to life, he then presented him to his disciples, that they should loose him. For though a man be loosed before God, yet he is not accounted loosed in the face of the church, but by the judgment of the priest. Therefore the evangelical priest, in loosing and retaining sins, acts and judges after the same manner, as the legal priest did heretofore in the case of those who were defiled with leprosy, which is the emblem of sin. Whence St. Jerom, commenting upon those words of our Lord to Peter, 'To thee will I give the keys of the kingdom of heaven; and whatsoever thou shalt bind on earth, shall be bound in heaven; and whatsoever thou shalt loose on earth, shall be loosed in heaven;' says, Some, not understanding this place, assume to themselves something of the supercilious pride of the Pharisees, so as to imagine they have power to damn the innocent and save the guilty; whereas before God the only thing that is inquired into, is the life of the criminals, and not the sentence of the priests. In Leviticus the lepers are commanded to show themselves to the priests, whom they do not make leprous or clean, but only show who are clean or unclean. So here it is plainly declared, that God does not always follow the judgment of the church, which sometimes judges by surreption and ignorance, but God always judges according to truth. And in remitting or retaining sins the evangelical priests have the same right and office, as the legal priests had of old under the law in curing the lepers. These, therefore, remit or retain sins, whilst they judge and declare them to be remitted or retained by God. For the priests put the name of the Lord upon the children of Israel, but he himself blessed them, as it is read in Numbers vi."

The Master of the Sentences here cites St. Jerom but imperfectly, and therefore I shall recite his testimony more exactly in his own words: "Some bishops and priests," says he,[15] "not understanding that place, (where our Lord says to Peter, 'Whatsoever thou shalt bind on earth,' &c.,) assume to themselves something of the supercilious pride of the Pharisees, so as to imagine they have power to damn the innocent or absolve the guilty; whereas before God the only thing that is inquired into, is the life of the criminals, and not the sentence of the priests. We read in Leviticus concerning the lepers, where they are commanded to show themselves to the priests, and if they have the leprosy, they are then made unclean by the priest: not that the priests make them leprous and unclean, but because they had the power of judging who were leprous or

[14] Lombard. Sentent. lib. 4. dist. 18. p. 331. Ludg. 1591. Hoc sane dicere et sentire possumus, quod solus Deus dimittit peccata et retinet: et tamen ecclesiæ contulit postestatem ligandi et solvendi; sed aliter ipse solvit vel ligat, aliter ecclesia. Ipse enim per se tantum dimittit peccatum, qui et animam mundat ab interiori macula, et a debito æternæ mortis solvit. Non autem hoc sacerdotibus concessit, quibus tamen tribuit potestatem solvendi et ligandi, id est, ostendendi homines ligatos vel solutos. Unde Dominus leprosum sanitati prius per se restituit, deinde ad sacerdotes misit, quorum judicio ostenderetur mundatus. Ita etiam Lazarum jam vivificatum obtulit discipulis solvendum. Quia etsi aliquis apud Deum sit solutus, non tamen in facie ecclesiæ solutus habetur nisi per judicium sacerdotis. In solvendis ergo culpis vel retinendis ita operatur sacerdos evangelicus et judicat, sicut olim legalis in illis qui contaminati erant lepra, quæ peccatum signat. Unde Hieronymus super Mat. xvi. ubi Dominus ait Petro, Tibi dabo claves, &c. Hunc, inquit, locum quidam non intelligentes, aliquid sumunt de supercilio Pharisæorum, ut damnare se innoxios, vel salvare se putent noxios; cum apud Deum non sententia sacerdotum, sed reorum vita quæratur. In Levitico se ostendere sacerdotibus jubentur leprosi, quos illi non faciunt leprosos vel mundos, sed discernunt qui mundi vel immundi sunt. Ita et hic aperte ostenditur, quod non semper Deus sequitur ecclesiæ judicium, quæ per surreptionem et ignorantiam interdum judicat: Deus autem semper judicat secundum veritatem. Et in remittendis vel retinendis culpis id juris et officii habent evangelici sacerdotes, quod olim habebant legales sub lege in curandis leprosis. Hi ergo peccata dimittunt vel retinent, dum dimissa a Deo vel retenta judicant et ostendunt. Ponunt enim sacerdotes nomen Domini super filios Israel, sed ipse benedixit, ut legitur in Numeris.

[15] Hieron. in Mat. xvi. t. 9. p. 49. Istum locum episcopi et presbyteri non intelligentes, aliquid sibi de Pharisæorum assumunt supercilio, ut vel damnent innocentes, vel solvere se noxios arbitrentur: cum apud Deum non sententia sacerdotum, sed reorum vita quæratur. Legimus in Levitico de leprosis, ubi jubentur, ut ostendant se sacerdotibus, et si lepram habuerint, tunc a sacerdote immundi fiant: non quo sacerdotes leprosos faciant et immundos, sed quo habeant notitiam leprosi et non leprosi, et possint discernere qui mundus, quive immundus sit. Quomodo ergo ibi leprosum sacerdos mundum vel immundum facit, sic et hic alligat vel solvit episcopus et presbyter, non eos qui insontes sunt vel noxii: sed pro officio suo, cum peccatorum audierit varietates, scit qui ligandus sit, quive solvendus.

not leprous, and might discern who were clean or unclean. As therefore there the priest makes the leper clean or unclean, so here the bishop and presbyter binds or looses; not [making] them innocent or guilty; but, according to the tenor of his office, when he hears the distinction of sins or sinners, he knows who is to be bound, or who to be loosed."

There seems to be something wanting in the grammar of those words, *non eos qui insontes sunt vel noxii;* and to make it coherent with what goes before, the word *faciens*, or the like, seems needful to be supplied. But all the rest is very plain, that as the priests of old did not properly make a man leprous or clean, but only declare whether he were so or not; so the priests of the New Testament bind or loose men from their sins, by declaring who are to be bound or loosed.

Bishop Fell indeed has a more singular notion of the form, *Absolvo te:* he supposes,[16] that in every crime there are two things to be considered, viz. the offence against God, and the offence against the church; the former of which is forgiven by God alone upon men's prayers and repentance; but the latter by this authoritative form, I absolve thee.

But this (though it may be true with respect to crimes that fall under public discipline) cannot well be the meaning of the form as it is used in our liturgy, in the office of the Visitation of the Sick, which is the only place, as I remember, where our church appoints it to be used. For in private sins there is no offence given to the church, and yet it is private sins, confessed privately to a minister, for which that rubric orders absolution to be given in this form, *Absolvo te.* So that though his interpretation may be good in reference to the church's public absolution[17] for public and scandalous crimes, which give offence to the church; yet I think it cannot hold with respect to private crimes, because there no offence is given. Therefore it seems better to resolve it, as St. Jerom and Peter Lombard do, into a declarative form, and explain it by the example of the legal priests cleansing the leper, by declaring him to be clean.

I have now sent your Lordship all that I have observed material in this dispute: but if there be any thing omitted or deficient, that you desire should be further considered, your Lordship cannot more readily command, than I shall be ready to obey with the greatest pleasure, who am,

My Lord,

Your most dutiful and obedient Servant,

JOSEPH BINGHAM.

Winton, Feb. 24, 1712-13.

[16] Fell, Not. in Cypr. de Lapsis, p. 136.

[17] Vid. Book XIX. chap. 2. sect 6.

BOOK XX.

OF THE FESTIVALS OBSERVED IN THE PRIMITIVE CHURCH.

CHAPTER I.

OF THE DISTINCTION TO BE MADE BETWEEN CIVIL AND ECCLESIASTICAL FESTIVALS.

Sect. 1. What meant by the civil festivals.

HAVING hitherto taken a distinct view of the great services of the ancient church in the several parts of her liturgy, and the administration of her sacraments, and the exercise of discipline; I come now to give an account of the lesser kind of observations relating to her festivals, and days of fasting, and marriage rites, and funeral rites, all which may in some measure be comprised under the general name of the service of the church.

In speaking of the festivals, it will be necessary first of all to distinguish the ecclesiastical festivals from the civil; for some were purely ecclesiastical, others purely civil, and others (as festivals of greater account) were both ecclesiastical and civil. All Sundays throughout the year, and the fifteen days of the Paschal solemnity, were festivals both in the ecclesiastical and civil account; for they were not only days of more solemn religious observation, but also days of vacation from law-suits and prosecution of secular business. Other festivals were purely of ecclesiastical account; for they were days of religious assembly, but not entirely days of vacation. Others were purely civil festivals, that is, days of vacation from law-suits and secular affairs, but not distinguished by any peculiar character of religious observation. Of this sort were the *feriæ æstivæ*, or the thirty days of harvest; and the *feriæ autumnales*, or the thirty days of vintage; and three days under the common name of the calends of January; one day called the *natalis urbis Romæ*, the foundation of Rome; and another the *natalis*, or foundation of Constantinople; and four days called the *natales imperatorum*, including both their natural birthdays, and their civil birthdays, that is, their inauguration to the empire. Of all which, because there is frequent mention made of them in the ancient writers, and laws, and canons, it will not be amiss to speak a little more particularly in the entrance of this discourse.

Sect. 2. Of the *feriæ æstivæ*, or thirty days of vacation in the harvest month, and the *feriæ autumnales*.

All these are comprehended in one law of Theodosius and Valentinian junior, under the general name of *feriæ forenses*, days of vacation or rest from pleadings in the civil courts of judicature. Where all days in the year are appointed to be juridical,[1] except the two months of harvest and vintage, and the calends of January, and the *natales* of the two great cities, Rome and Constantinople, and the birthdays of the emperors, and their inauguration to the empire, and the fifteen days of Easter, which were festival both in the ecclesiastical and civil account, as also all Sundays throughout the year. Where it is rightly observed by Gothofred, that the other ecclesiastical festivals of Christmas, Epiphany, and Pentecost were not as yet made festivals in the civil account. For at this time many of the judges were still heathens, and therefore juridical pleadings were allowed on these days, notwithstanding that they were kept with great solemnity and religious veneration among the Christians. But afterward, when Justinian repeated this law[2] in his Code, the prohibition of pleadings upon these days, and upon the passions of the

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[1] Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 2. Omnes dies jubemus esse juridicos. Illos tantum manere feriarum dies fas erit, quos geminis mensibus ad requiem laboris indulgentior annus accepit, æstivis fervoribus mitigandis, et autumnis fœtibus decerpendis. Kalendarum quoque Januarium consuetos dies otio sancimus. His adjicimus natalitios dies urbium maximarum Romæ atque Constantinopolis, quibus debent jura deferre, quia et ab ipsis quoque nata sunt. Sanctos quoque Paschæ dies, qui septeno vel præcedunt numero, vel sequuntur, in eadem observatione numeramus. Nec non et dies solis, qui repetito in se calculo revolvuntur. Parem necesse est haberi reverentiam nostris etiam diebus, qui vel lucis auspicia, vel ortus imperii protulerunt.

[2] Cod. Justin. lib. 3. Tit. 12. de Feriis, Leg. 7.

Apostles, was inserted, together with a prohibition of all the public shows and games upon any of these solemnities, of which more hereafter.

As to those festivals which were purely civil, we are to observe, that some of them were of long standing in the Roman empire, and no new institution of Christians, but only reformed and regulated by them in some particulars, to cut off the idolatrous rites and other corruptions that sometimes attended them. The multitude of them was complained of by Tully,[3] and therefore Augustus cut off thirty of them at once, turning those days which were deputed for honorary games, into days of pleading, for the better prosecution of criminals, and greater expedition of justice, as Suetonius reports[4] in his Life. And a like reduction was made by Antoninus Philosophus, who is said[5] to have added several judiciary days to the calendar, striking out many festivals, and appointing two hundred and thirty days in the year for hearing of causes, and despatching business of the law. The Christian emperors reduced the number of these festivals to a much shorter compass. For they cast away all festivals that were held in honour of the heathen gods; and though they brought in all Sundays in the year into the computation of civil festivals, and also the fifteen days of the Paschal solemnity, yet the whole number did not amount to above a hundred and twenty-five; so that there remained two hundred and forty days still for public business of the law. And of those one hundred and twenty-five days that were exempt, sixty days, or two months, were only set apart as days of vacation from the law for the convenience of gathering in the harvest and the vintage. The one were called *feriæ æstivæ*, and the other *feriæ autumnales*. And these were ancient Roman festivals, mentioned by Statius,[6] and Aulus Gellius,[7] and Pliny,[8] and after them by Ulpian,[9] the famous lawyer, who shows at large for what end they were appointed, that countrymen might not be molested in gathering their fruits at their proper seasons, except it were in some extraordinary cases, which required a more speedy decision before the pretor. The schools of rhetoric had also their vacations at these seasons, as we learn both from Aulus Gellius and St. Austin.[10] And because this sort of *feriæ* had nothing of harm, but only convenience in them, they were continued without scruple by the Christian emperors, and established by their laws, as we have seen, upon consideration of the usefulness and necessity of them; leaving it to the judges of the several provinces of the world to determine precisely what time they should commence: for they did not begin the harvest month, or the vintage month, every where on the same day, but some countries sooner and some later, according to the different state and condition of every climate. And so the observation of these two months continued, as Gothofred notes,[11] to the time of the emperor Otho, who first abrogated them in the laws of the Lombards.

Sect. 3. Of the calends of January.

The next civil *feriæ* were the calends of January: which, as Gothofred thinks, comprised three days, the day before the calends, the calends, and the third of the *nones*, or, as others say,[12] the day before the *nones*, that is, the fourth of January, commonly called *bota* and *vota*, because it was the day of sacrificing for the emperor's safety. These were continued by the Christian emperors without any idolatrous rites, but still were days of great liberty and extravagance. Upon which account the ancient fathers and councils commonly declaim with great invectives against the observation of them. For not only Tertullian speaks against them,[13] whilst they were accompanied with idolatrous and superstitious rites in the time of heathenism, but in after ages the fathers in their popular discourses are often very severe and copious in their dissuasives from the observation of them, both upon the account of the relics of superstition remaining in the hearts of many Christians, and also because they were occasions of great looseness and debauchery among the people. St. Chrysostom[14] says, Many were superstitiously addicted to the observation of times, and made divination and conjectures upon them; as, if they spent the new moon in mirth and pleasure, the whole year would be prosperous and lucky to them. So both men and women gave themselves to intemperance on these days, out of this diabolical persuasion, that the good or bad fortune of the rest of the year depended upon such an ominous beginning of it: which was the devil's invention to ruin the practice of all virtue. He observes further,[15] that they were used in the celebration of these times to set up lamps in the market-place, and crown

[3] Cicero cont. Verrem.

[4] Sueton. Vit. Aug. cap. 32. Ne quod maleficium negotiumve impunitate vel mora elaberetur, triginta amplius dies, qui honorariis ludis occupabantur, actui rerum accommodavit.

[5] Capitolin. Vit. Antonini Philosophi, p. 74. Judiciariæ rei singularem diligentiam adhibuit; fastis dies judiciarios addidit, ita ut ducentos triginta dies annuos rebus agendis, litibusque disceptandis constitueret.

[6] Stat. Sylvar. lib. 4.

[7] Gellius Noct. Attic. lib. 9. cap. 15.

[8] Plin. lib. 8. Ep. 19. Julio mense, quo maxime lites interquiescunt.

[9] Digest. lib. 2. Tit. 12. de Feriis, Leg. 1, 2, 3.

[10] Aug. Confess lib. 9. cap. 2.

[11] Gothofred. in Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 2.

[12] Vide Dempster. Paralipomena ad Rosini Antiquit. lib. 4. c. 4. p. 543.

[13] Tertul. de Idololat. cap. 14.

[14] Chrys. Hom. 23. in eos qui Novilunia observant, t. 1. p. 297.

[15] Ibid. p. 300.

their doors with garlands, which he condemns together with their superstition and intemperance, as a mixture of diabolical pomp and childish folly. The like complaints are made by St. Austin,[16] Chrysologus,[17] Prudentius,[18] Asterius Amasenus,[19] and St. Ambrose.[20] So that though these festivals of the calends were allowed by the imperial laws, yet they were generally condemned by the ancient writers, because of the vanities, and excesses, and abuses that were usually committed in them. And particularly the council of Trullo[21] forbids the dancings and other ceremonies that were used both by men and women, on the calends and the *bota*, under the penalty of excommunication; as I have had occasion to show more fully in speaking[22] of the discipline of the church. And the council of Auxerre takes notice[23] of the remains of some heathen superstition in France, in offering a hind or a calf, which they call a diabolical observation.

Sect. 4. Of the emperors' birthdays.

The next civil festivals were the emperors' birthdays, which were of two sorts; the one was called *natalis genuinus*, their natural birthday; and the other, *natalis imperii*, their inauguration; as they are distinguished in several laws[24] of the Theodosian Code, and other ancient writers, which are collected by Gothofred[25] in great abundance. Who also observes, That when it is said by ancient writers, that Constantine was born in Britain, it is to be understood according to this distinction, to mean his imperial birthday, and not his natural. For his natural birth was at Naisus in Dacia, as Pagi[26] shows from many express testimonies of Julius Firmicus, and Stephanus de Urbibus, and other ancient writers; but his imperial birth, or inauguration to the empire, was in Britain. Which Baronius, and many other learned writers, mistaking for his natural birth, have thence concluded that he was born in Britain. But this only by the way. These birthdays of the emperors, whether natural or political, were always of great esteem and veneration. The law of Theodosius orders them to be observed with the same reverence and ceremony as all other civil festivals, that is, to be days of vacation from public pleadi at the law: and on these days, it was usual for gr men to entertain the people with the public gam and shows, which was partly to honour the da and partly to give some diversion to the peo The pretor of Rome was obliged by his office to this, as appears by several laws[27] of Arcadius in t Theodosian Code. And the judges might be p sent at them[28] once a day, in the morning, wh they distributed money, some silver, some gold, a cording to their quality, among the people. A on these days, the emperor's statues or images we produced[29] for the people to pay their civil respe and veneration to them; reserving Divine worsh and religious adoration, exceeding the dignity man, to the celestial Majesty alone, as the laws el gantly word it. But if it happened that any of the days fell upon a Sunday, then, by a law of Theod sius,[30] the public games were omitted, and came n into the solemnity of the day. And Theodosi junior excepted also the other great festivals Christ's Nativity, and Epiphany, and Easter, an Pentecost, or the whole fifty days between East and Whitsuntide, on any of which days it was u lawful to exhibit the usual games to the people and that no one should fear lest it should be inte preted a disrespect to the imperial majesty, if he di not according to custom exhibit the games on th emperor's birthday, (happening to fall on any these festivals,) he inserted[31] a particular clause, de claring, That such an omission should be no offenc but most agreeable to have the service of the D vine Majesty preferred before that usual ceremon of the games and shows in the celebration of hi birthday. And in this chiefly consisted the differ ence between an ecclesiastical and civil festiva that the one was a day of mere pleasure and diver sion, and the other a solemn time of devotion an religion, to which the former must give place, when ever they happened by any such coincidence to fal together.

Sect. 5. Of the natales ur bium, or the tw

The last sort of civil festivals were the *natales urbium*, or the two annual

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[16] Aug. Ser. 5. de Kalendis Januarii, t. 10. p. 621.

[17] Chrysol. Ser. 155.

[18] Prudent. lib. 1. cont. Symmachum.

[19] Aster. Hom. 4. de Festo Kalendarum, ap. Combefis. Auct. Nov. p. 63.

[20] Ambros. Ser. 17.

[21] Conc. Trull. can. 62.

[22] Book XVI. chap. 4. sect. 17.

[23] Conc. Antissiodor. can. 1. Non licet kalendis Januarii vecolo aut cervolo facere, vel strenas diabolicas observare. Sirmond and Labbé, instead of vecolo, read it vetula, prisco more pro vitula.

[24] Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 2. Parem necesse est haberi reverentiam nostris etiam diebus, qui vel lucis auspicia, vel ortus imperii protulerunt. It. lib. 6. Tit. 26. de Proximis. Genuinus natalis nostri dies, &c. Et Leg. 17. ibid. Genuino die natalis meæ Clementiæ, &c.

[25] Gothofred. in Cod. Theod. lib. 2. Tit. 8. Leg. 2. p. 125.

[26] Pagi, Critic. in Baron. an. 306. n. 8.

[27] Cod. Theod. lib. 6. Tit. 4. de Prætoribus, Leg. 29. Prætores Romanus et laureatus natalibus nostri numinis scænicas populo præbeant voluptates. Vid. Leg. 30. ibidem.

[28] Ibid. lib. 15. Tit. 5. de Spectaculis, Leg. 2.

[29] Ibid. Tit. 4. de Imaginibus, Leg. 1.

[30] Ibid. lib. 15. de Spectaculis, Leg. 2. Nullus soli die populo spectacula præbeat, nec Divinam venerationem confecta solemnitate confundat.

[31] Ibid. Leg. 5. Ac ne quis existimet, in honorem numinis nostri, veluti majore quadam imperialis officii necessitate compelli, et nisi Divina religione contempta, spectaculis operam præstat, subeundam forsitan sibi nostræ serenitatis offensam, si minus circa nos devotionis ostenderit, quam solebat, Nemo ambigat, quod tunc maxime mansuetudini nostræ ab humano genere defertur, cum virtutibus Dei omnipotentis ac meritis universi obsequium orbis impenditur.

Feriæ in memory of the foundation of Rome and Constantinople. days kept in memory of the foundation of the two great cities, Rome and Constantinople. The former was an ancient Roman festival, observed on the eleventh of the calends of May, or the twenty-first of April, under the name of *palilia;* of which the reader may find a large account[32] in any of the common writers of Roman antiquities. That which is only to be noted here is, that it continued a festival under the Christian emperors: which we learn not only from the forementioned law of Theodosius, but also from Sozomen,[33] who says, that the γενέθλια, or nativities of the emperors, and the royal cities, and the calends, were the usual times of distributing the emperors' donations or largesses among the soldiers. And Cassiodore[34] speaks of the games of the circus as a usual part of the people's entertainment on these festivals of pleasure. The *encænia,* or dedication of Constantinople, was annually celebrated on the fifth of the *ides* of May, that is, the eleventh of May, as is noted by Gothofred out of Marcellinus Comes, Cassiodore, Cedrenus, the Chronicon Alexandrinum, and Zonaras. And as in all things both the ancient laws and canons[35] gave Constantinople the same royal and honourable privileges that were allowed to old Rome; so in this they were equalled, that the annual days of their dedication were celebrated with the same solemnities among the *feriæ* or civil festivals, and days of vacation and joyfulness throughout the Roman empire. And the reason of this is given in the aforesaid law of Theodosius[36] so often mentioned, because these two great cities, Rome and Constantinople, were the fountains and springs from whence the laws were originally derived; and therefore it was proper that the feasts of their dedication should be observed by a vacation from law-suits on the annual days of their foundation. This is the short account of the civil *feriæ,* or festivals, so far as concerns their observation under the government and allowance of Christian emperors. I now proceed to the other sort of festivals, which were of sacred or ecclesiastical observation.

CHAPTER II.

OF THE ORIGINAL AND OBSERVATION OF THE LORD'S DAY AMONG CHRISTIANS.

Sect. I. The Lord's day of continued observation in the church from the days of the apostles, under the names of Sunday, the Lord's day, the first day of the week, and the day of breaking bread, &c.

THE principal and most noted among the sacred and ecclesiastical festivals was always that of the Lord's day, which was observed with great veneration in the ancient church from the very time of the apostles. The apostles themselves are often said to meet on this day for Divine service, being the day of the Lord's resurrection. Acts xx. 7, "On the first day of the week, when the disciples came together to break bread, Paul preached unto them, ready to depart on the morrow; and continued his speech until midnight." So again, 1 Cor. xvi. 2, "Upon the first day of the week let every one of you lay by him in store, as God hath prospered him, that there be no gatherings when I come." And St. John expressly styles it the Lord's day, Rev. i. 10, "I was in the Spirit on the Lord's day:" which cannot mean the Jewish sabbath; for then he would have called it so: nor any other day of the week; for that had been ambiguous: but the day on which Christ arose from the dead, on which the apostles were used to meet to celebrate Divine service, on which Paul had ordered collections to be made, according to the custom of the primitive church. Seeing, therefore, he speaks of this as a day well known and used in the church, it cannot be doubted, but that it was distinguished by this name from the received use and custom of the church. For, otherwise, how could Christians have understood what St. John intended to signify by this name, if he had designed to denote any other day by it? as Mr. Turretin[1] argues well upon the resolution of this question.

The matter thus founded in apostolical practice, may be further illustrated and confirmed from the general usage of the church in the following ages. Pliny, who was a heathen magistrate in the reign of Trajan, not long after St. John's death, took the account of the Christian assemblies from the mouths of some apostatizing Christians, and they told him, their custom was[2] to meet together early in the morning before it was light, on a certain fixed day, and sing hymns to Christ as their God, and bind

[32] Vid. Dempster. Paralipom. ad Rosin. Antiq. lib. 1. c. 1. p. 8.

[33] Sozom. lib. 5. cap. 16.

[34] Cassiodor. Chronic. in Philip. Imper.

[35] Vid. Conc. Constantinop. 1. can. 3. Conc. Chalced. can. 28. Cod. Theod. lib. 16. de Episcopis, Tit. 2. Leg. 45. Romæ veteris prærogativa lætatur, &c. It. Cod. Theod. lib. 14. Tit. 13. de Jure Italico Urbis Constantinopol.

[36] Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 2.

[1] Turretin. Theol. par. 2. Loc. 11. De Lege Dei, Quæst. 14. p. 103.

[2] Plin. lib. 10. Ep. 97. Quod essent soliti stato die ante lucem convenire, carmenque Christo, quasi Deo, dicere secum invicem: seque sacramento non in scelus aliquod obstringere, &c.

themselves with a sacrament to do no evil, and afterwards to partake of a common feast. Which is a plain description of the service of the Lord's day, and particularly of the *agape*, or feast of charity, which was usually an attendant of the communion in the primitive church every Lord's day. Ignatius, who lived about the same time, makes as plain a reference to the observation of the Lord's day, when he bids the Magnesians[3] not to sabbatize with the Jews, but to lead a life agreeable to the Lord's day, on which our life was raised from the dead, by him (that is, by the Lord Christ) and by his death. Clemens Alexandrinus,[4] as Cotelerius observes, well illustrates and explains this passage of Ignatius, showing what it is to lead a life conformable to the Lord's day, when he says, He that observes the precept of the gospel, makes it to be the Lord's day, whilst he casts away every evil thought, and takes to him the true Gnostic thoughts of wisdom and knowledge, thereby glorifying the resurrection of the Lord.

Hence we learn, that Κυριακὴ was the common name of the Lord's day, and that Κυριακὴν ζῆν is to lead a life conformable to the Lord's day, in memory of our Saviour's resurrection. Yet sometimes the ancients, when they write to the Gentiles, scruple not to call it Sunday, to distinguish it by the name best known to them. As Justin Martyr, writing his Apology to the Heathen,[5] says, We all meet together on Sunday, on which God, having changed darkness and matter, created the world, and on this day Jesus Christ our Saviour arose from the dead. In like manner Tertullian,[6] answering the objection made by the heathens, that the Christians worshipped the sun, says, indeed, they made Sunday a day of joy, but for other reasons than to worship the sun, which was no part of their religion. At other times, when he writes only to Christians, he commonly uses the name[7] of the Lord's day, and especially when he would distinguish it from the Jewish sabbath.[8] And the like may be observed in the laws of the first Christian emperors. Constantine[9] uses the name Sunday, when he forbids all lawsuits on this day. Valentinian[10] uses the same name upon the same occasion. So does also Valentinian junior,[11] and Theodosius senior, and Theodosius junior, in settling the observation of this day. But they use the name indifferently, styling it sometimes the Lord's day, which was more proper among Christians, as is particularly noted in one of the laws of the younger Valentinian, which runs thus, *Solis die, quem Dominicum rite dixere majores*, &c. On Sunday, which our forefathers[12] have rightly and customarily called the Lord's day. His reference to ancient custom is confirmed not only from what has been alleged out of Ignatius, and Clemens Alexandrinus, and Tertullian, but from the use of the word Κυριακὴ in the epistle of Dionysius, bishop of Corinth, to Pope Soter, recorded by Eusebius,[13] where he says, To-day we observed the Lord's holy day, τὴν Κυριακὴν ἁγίαν ἡμέραν διηγάγομεν. And from what Eusebius[14] says of Melito, bishop of Sardis, that he wrote a book περὶ Κυριακῆς, concerning the Lord's day. In like manner Irenæus, in his epistle[15] to Pope Victor, says, The mystery of the Lord's resurrection, or the Paschal festival, ought to be kept only on the Lord's day, τῇ τῆς Κυριακῆς ἡμέρᾳ. And Origen,[16] to distinguish it from the Jewish sabbath, says, That manna was first rained down from heaven on the Lord's day, and not on the sabbath, to show the Jews that even then the Lord's day was preferred before it. This evidences not only the antiquity of the name, but that the observation of the day in memory of our Lord's resurrection was the universal practice of the church from the time of the apostles. And from one solemn act of breaking bread in the constant celebration of the eucharist on this day, I have once before[17] observed out of Chrysostom, that it is sometimes called, *dies panis*, the day of bread, because it was the general custom in the primitive church to meet for breaking of bread, and receiving of the communion, on every Lord's day throughout the year. And I shall not need here to be more particular concerning this, or any other part of the public service performed on the Lord's day, such as psalmody, reading of the Scriptures, preaching, and praying, and exercising discipline upon penitents, and absolving them (because I have treated largely of these in their order in several Books before): but now only take notice

[3] Ignat. Ep. ad Magnes. n. 9. Μηκέτι σαββατίζοντες, ἀλλὰ κατὰ Κυριακὴν ζωὴν ζῶντες, κ.τ.λ.

[4] Clem. Alex. Strom. 7. Ἐντολὴν κατὰ τὸ εὐαγγέλιον διαπραξάμενος, κυριακὴν ἐκείνην τὴν ἡμέραν ποιεῖ, κ.τ.λ. p. 877. Ed. Oxon.

[5] Justin. Apol. 2. p. 99.

[6] Tertul. Apol. cap. 16. Æque si diem solis lætitiæ indulgemus, alia longe ratione quam religione solis, &c. It. lib. 1. ad Nation. cap. 13. Alii solem Christianum Deum æstimant, quod innotuerit ad Orientis partem facere nos precationem, vel die solis lætitiam curare.

[7] Tertul. de Coron. Mil. cap. 3. Die Dominico jejunium nefas ducimus, vel de geniculis adorare.

[8] Tertul. de Jejun. cap. 15. Exceptis scilicet sabbatis et Dominicis.

[9] Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 1.

[10] Ibid. Leg. 2.

[11] Ibid. lib. 8. de Executoribus, Leg. 1 et 3. lib. 11. Tit. 7. de Exactionibus, Leg. 10 et 13. lib. 15. Tit. 5. de Spectaculis, Leg. 2.

[12] Ibid. lib. 11. Tit. 5. de Exactionibus, Leg. 13.

[13] Euseb. lib. 4. cap. 23.

[14] Ibid. cap. 26.

[15] Ap. Euseb. lib. 5. cap. 24.

[16] Orig. Hom. 7. in Exod. xv. t. 1. p. 82. See also Hippolytus Canon Paschalis, cited by Gothofred. in Cod. Theod. lib. 8. Tit. 8. Leg. 3.

[17] Book XV. chap. 9. sect. 2.

of some special laws and customs that were observed, to show a more peculiar reverence, honour, and respect to the supereminent dignity of this day.

Sect. 2. All proceedings at law forbidden and suspended on this day, except such as were of absolute necessity or great charity, as manumission of slaves, &c.

Among these we may reckon, in the first place, those imperial laws which suspended all actions and proceedings at the law on this day, whether arrests, pleadings, exactions, sentences of judges, or executions, except only such as were of absolute necessity, or some eminent charity, as the manumission of slaves, or granting them their freedom, which was not forbidden, because it was an act of considerable charity and great mercy. This was the same respect as the old Roman laws had paid to their *feriæ*, or festivals, in times of idolatry and superstition. But as then the Lord's day was of no account among the heathen, so no exemption was made in its favour, but this was juridical as well as any other, till Constantine made the first law to exempt it. And now also the Christian laws concerning the observation of the Lord's day, which exempted it from being juridical, still admitted of some exceptions, as the heathen laws in relation to their *feriæ* had done before them. The exceptions made by the heathen laws are particularly specified by Ulpian,[18] out of the edicts of Trajan and Marcus Antoninus, where the hearing of all causes of absolute necessity and great charity, and about all military affairs, are allowed on their festivals; as the appointing of curators and guardians to orphans, and causes relating to matters of preservation and damage, and legacies and trusts, and exhibiting of wills, and maintenance of children, parents, and patrons: and all causes wherein a man might suffer great damage, either by delay or by death; as in case of theft, or great injuries and losses by fire, or shipwreck, or piracies, or any cases of the like nature. Now, as the old Roman laws exempted the festivals of the heathen from all juridical business, and suspended all processes and pleadings, except in the forementioned cases; so Constantine ordered that the same honour and respect should be paid to the Lord's day, that it should be a day of perfect vacation from all prosecutions, and pleadings, and business of the law, except where any case of great necessity or charity required a juridical process and public transaction; for such cases were always thought to be consistent with the design of the rest both of the sabbath and the Lord's day, as our Lord himself had interpreted the law of the sabbath in many cases of beneficence and doing good, both by his doctrine and his example. Therefore Constantine[19] peremptorily forbade all his judges to hear any causes, either criminal or civil, on this day, except such as could not be deferred without intrenching upon the rules of charity; which sort of actions and causes the law calls *votiva*, good offices, such as the emancipation or manumission of slaves, which he allows any one to perform, in a legal manner, on this day, and there should lie no prohibition against them. Honorius in like manner excepts the causes that were commenced against the[20] *navicularii*, or masters of vessels transporting the public corn from Africa to Rome: if any fraud was suspected in them, they were to be examined by torture upon any festivals or days of devotion without delay or molestation: because the preservation of the public corn was a matter of great concern to the public welfare of Rome (bread being the staff of life); and therefore inquisition into such frauds was proper to be made upon any day whatsoever, without exception. For the same reason Honorius and Theodosius junior, by another law,[21] ordered prosecution to be made against the Isaurian pirates on any day, not excepting Lent or Easter day: lest the discovery of wicked designs should be delayed, which was to be effected only by putting the robbers to the rack in their examination; which it was to be hoped the great God would readily pardon, seeing the preservation and safety of many innocent men was procured thereby. So that in such cases, where mercy and charity or the necessities of the public good were concerned, all days were juridical, and actions at law might be prosecuted on the Lord's day as well as any other. But excepting these particular cases, the prosecution of law-suits on this day was universally forbidden. Valen-

[18] Digest. lib. 2. Tit. 12. de Feriis, Leg. 2. Divus Marcus effecit, de aliis speciebus prætorem adiri etiam diebus feriaticis: utputa ut tutores aut curatores dentur——vel rei servandæ causa, vel legatorum, fideive commissorum, vel damni infecti: item de testamentis exhibendis: ut curator detur bonorum ejus, qui an hæres extaturus sit incertum est: aut de alendis liberis, parentibus, patronis: aut de adeunda suspecta hæreditate, &c. Ibid. Leg. 3. Solet etiam messis vindemiarumque tempore jus dici de rebus quæ tempore vel morte perituræ sunt. Morte, veluti furti, damni, injuriæ, injuriarum atrocium, qui de incendio, ruina, naufragio, rate, nave expugnata rapuisse dicuntur, et si quæ similes sunt. Ibid. Leg. 9. Quæ ad disciplinam militarem pertinent, etiam feriatis diebus peragenda, &c.

[19] Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 1. Sicut indignissimum videbatur, diem solis, veneratione sui celebrem, altercantibus jurgiis et noxiis partium contentionibus occupari, ita gratum ac jucundum est, eo die quæ sunt maxime votiva compleri: atque ideo emancipandi et manumittendi die festo cuncti licentiam habeant, et super his rebus actus non prohibeantur. Vid. Cod. Justin. lib. 3. Tit. 12. de Feriis, Leg. 2.

[20] Ibid. lib. 13. Tit. 5. de Navicularìis, Leg. 38. Hujusmodi inquisitio etiam diebus feriatis et devotionum absque ulla observatione peragenda est.

[21] Ibid. lib. 9. Tit. 35. de Quæstionibus, Leg. 7. Provinciarum judices moneantur, ut in Isaurorum latronum quæstionibus nullum Quadragesimæ, nec venerabilem Pascharum diem existiment excipiendum: ne differatur sceleratorum proditio consiliorum, quæ per latronum tormenta quærenda est: cum facillime in hoc summi numinis speratur venia, per quod multorum salus et incolumitas procuratur.

tinian senior[22] prohibited all arrests of men for debt, whether public or private, on this day. For no man might be convened even by the exactors of the public revenues, under pain of incurring the emperor's highest displeasure for the breach of his law. Valentinian junior[23] speaks a little more expressly: On Sunday, which our forefathers rightly called the Lord's day, let all prosecution of causes, controversial business, and disputes be wholly laid aside; let no one demand either a public or a private debt; let there be no hearing of causes, either before arbitrators appointed by law, or voluntarily chosen. And let him be accounted not only infamous, but sacrilegious also, whoever departs from the rule and custom of our holy religion. And the same Valentinian, together with Theodosius the Great, has another law,[24] wherein he appoints all Sundays in the year to be days of vacation from all business of the law whatsoever, according to the observation of other festivals.

Sect. 3. All secular business forbidden, except such as necessity or charity compelled men to, as gathering of their fruits in harvest, by some laws.

Neither was it only business of the law, but all other secular and servile labour and employments, that were superseded on this day, except only such as men were called to by necessity or some great charity; as earing and harvest, which at first were allowed on this day, that men might not be disappointed of their seasons; and the visiting of prisoners by the bishops and judges, which was so far from intrenching upon the sacred rest of this day, that it was a necessary office of mercy and charity which the laws enjoined them. Eusebius, in the Life of Constantine,[25] takes notice of two laws made by him in relation to his army, whom he obliged to rest from all military exercise on this day. And whereas some of them were heathens, and some Christians, by the first law he obliged that part of his army which were Christians, to repair with all diligence to the church of God; and that they might have more liberty and leisure to attend their prayers there, he discharged them from all other business and employment on that day. As to the other part of the army, which were still heathens, he obliged them by a second law to repair into the open fields, and there, having laid aside their arms, with one consent, upon a signal given, with hands and minds lift up to heaven, to address their supplications to God the supreme King of all. And for this end he gave them a form of prayer of his own composing; not willing, says the historian, that they should confide in their spears or armour, or in the strength of their bodies, but acknowledge the supreme God, who is the Author of all good things, and that they should think it their duty to make solemn supplication unto him. Sozomen[26] takes notice of the same thing, when he relates how Constantine appointed, that the Lord's day, (which the Hebrews call the first day of the week, and the Greeks dedicate to the sun,) and also the day before the sabbath, should be days of vacation from law-suits and all other secular business, and that men should worship God on these days with supplication and prayer: and this honour he showed to the Lord's day, because it was the day of our Lord's resurrection; and to the other, because it was the day of his crucifixion. Valesius[27] thinks that Sozomen was mistaken in saying, that Constantine made Friday a day of vacation from juridical business, and that he spake rather according to the usage of his own times, when the practice might be so: but as to the Lord's day, there is no dispute; for not only Eusebius, but the law itself, still extant in the Theodosian Code, makes it a day of vacation from all juridical actions: and there is another law in the Justinian Code, which not only forbids pleadings at law, and judges keeping courts on this day, but all other[28] secular business in the city, and all working at any art or trade: only allowing husbandmen in the country to work at their agriculture, because it often happens that no time is more seasonable for sowing corn, or planting vines; and he thought it not reasonable to let the commodious moment slip, which the providence of God put into their hands. By a law of Honorius[29]

[22] Cod. Theod. lib. 8. Tit. 8. de Executoribus, Leg. 1. Die solis, qui dudum faustus habetur, neminem Christianum ab exactoribus volumus conveniri; contra eos, qui id facere ausi sint, hoc nostri statuti interdicto periculum sancientes. This is repeated, lib. 11. Tit. 7. de Exactionibus, Leg. 10.

[23] Ibid. lib. 8. Tit. 8. de Executor. Leg. 3. Solis die, quem Dominicum rite dixere majores, omnium omnino litium, negotiorum, conventionum quiescat intentio: debitum publicum privatumve nullus efflagitet: ne apud ipsos quidem arbitros, vel in judiciis flagitatos, vel sponte delectos, ulla sit agnitio jurgiorum. Et non modo notabilis, verum etiam sacrilegus judicetur, qui a sanctæ religionis instituto rituve deflexerit. This law is also repeated, lib. 11. Tit. 7. de Exactionibus, Leg. 13.

[24] Ibid. lib. 2. Tit. 8. de Feriis, Leg. 2. Nec non et dies solis, qui repetito in se calculo revolvuntur, in eadem observatione numeramus. See also to the same purpose the law of Leo and Anthemius. Cod. Justin. lib. 3. cap. 12. de Feriis, Leg. 11.

[25] Euseb. Vit. Constant. lib. 4. cap. 18, 19, 20.

[26] Sozom. lib. 1. cap. 8.

[27] Vales. in Euseb. de Vita Constant. lib. 4. cap. 18.

[28] Cod. Justin. lib. 3. Tit. 12. de Feriis, Leg. 3. Omnes judices, urbanæque plebes, et cunctarum artium officia venerabili die solis quiescant. Ruri tamen positi agrorum culturæ libere licenterque inserviant: quoniam frequenter evenit, ut non aptius alio die frumenta sulcis, aut vineæ scrobibus mandentur: ne occasione momenti pereat commoditas cœlesti provisione concessa.

[29] Cod. Theod. lib. 9. Tit. 3. de Custodia Reorum, Leg. 7. Judices omnibus Dominicis diebus productos reos e custodia carcerali videant, interrogent, ne his humanitas clausis per corruptos carcerum custodes denegetur: victualem substantiam non habentibus faciant ministrari, libellis duobus aut tribus diurnis, vel quod æstimaverint, commentariensi decretis, quorum sumptibus proficiant alimoniæ pauperum,

the judges also were not only allowed, but enjoined to visit the prisons every Lord's day, and have the prisoners brought before them, to examine whether the keepers of the prison denied them any office of humanity which the law allowed them: and they were to grant necessary subsistence to those that wanted it, allowing the jailer two or three *sesterces* or *deniers* a day, to provide food for the poor; and they were also to give orders that the prisoners should be carried out of prison under a sufficient guard to bathe or wash themselves on this day. And if any judges, or their officers under them, acted in contempt of these rules, they were to be fined twenty pounds of gold, and the city magistrates three pounds. And the bishop of the place was also to contribute his laudable care, to put the judges in mind of their duty in this particular. We find a like rule made in France by the fifth council[30] of Orleans, under King Childebert, anno 549, where it is ordered, That the archdeacon, or provost of the church, should every Lord's day visit the prisoners, for whatever crimes they were put in durance, that the necessities of those that lay bound in prison might mercifully be relieved, according to the command of God: and the bishop was to appoint some faithful and diligent person to provide them necessaries, and to see that they had a competent sustenance out of the church. This was an act of great mercy, and therefore justly excepted from the common works and employments that were forbidden on the Lord's day. However, in the Justinian Code[31] this work is transferred from the Lord's day to Wednesdays and Fridays, which were days also of church assemblies, but not so strictly observed as the Lord's day. And by other laws,[32] that liberty which Constantine granted to countrymen to follow their works of husbandry on the Lord's day, was in a great measure restrained. Private writers and the canons of the church also run against it. Irenæus, expounding the law of the sabbath, thus expresses his sense of it: Though the law did not forbid those that were hungry, to take meat, and eat of such things as were next at hand; yet *metere et colligere in horreum vetabat*,[33] it did forbid men to reap, and carry into barns. Exod. xxxiv. 21, "Six days thou shalt work, but on the seventh day thou shalt rest: in earing-time and harvest thou shalt rest." Tertullian in like manner says, The law of the sabbath forbids all human works, but not Divine. Consequently it forbids[34] all those works which are enjoined on the six days, namely, their own works, that is, human works, or works of their daily vocation. But such a work as the Levites carrying about the ark on the sabbath, was no human or common work, but sacred and Divine by God's express command. St. Austin, or whoever was the author of the Sermons de Tempore,[35] says, The apostles transferred the observation of the sabbath to the Lord's day, and therefore, from the evening of the sabbath to the evening of the Lord's day, men ought to abstain from all country work and secular business, and only attend Divine service. Some think this homily is one of Cæsarius Arelatensis, a French bishop, which is very probable; for the French councils, about his time, are very express in forbidding works of husbandry on the Lord's day. The third council of Orleans distinguishes between the Jewish and Christian way of observing the Lord's day: for whereas some people were persuaded that it was unlawful to travel on the Lord's day,[36] either with horses, or oxen, or chariots, or to dress any victuals, or do any thing pertaining to cleanliness of house or man; which came nearer the Jewish than the Christian observation; they therefore decreed, That all things might lawfully be done that were used to be done before. But, however, men ought to abstain from all country work, as husbandry, dressing of vineyards, reaping, and mowing, and thrashing, that they may have more liberty to come to church, and offer up their prayers to God. So likewise the council of Auxerre:[37] It is not lawful on the Lord's

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quos ad lavacrum sub fida custodia duci oportet: multa judicibus viginti librarum auri, et officiis eorum ejusdem ponderis constituta; ordinibus quoque trium librarum auri multa proposita, si saluberrime statuta contempserint. Nec deerit antistitum Christianæ religionis cura laudabilis, quæ ad observationem constituti judicis hanc ingerat monitionem.

[30] Conc. Aurelian. 5. can. 20. Qui pro quibuscunque culpis in carceribus deputantur, ab archidiacono seu a præposito ecclesiæ diebus singulis Dominicis requirantur, ut necessitas vinctorum secundum præceptum divinum misericorditer sublevetur: atque a pontifice, instituta fideli et diligenti persona, qui necessaria provideat, competens victus de dono ecclesiæ tribuatur.

[31] Cod. Just. lib. 9. Tit. 4. de Custodia Reorum, Leg. 6.

[32] Leo. Novel. 54. Neque agricolæ, neque quiquam alii in illo die illicitum opus aggrediantur.

[33] Iren. lib. 4. cap. 20.

[34] Tertul. cont. Marcion. lib. 2. cap. 21. Consequens est, ut ea opera sabbato auferret, quæ sex diebus supra indixerat, tua scilicet, id est, humana et quotidiana. Arcam vero circumferre, neque quotidianum videri potest, nec humanum, &c.

[35] Aug. Hom. 251. de Tempore, t. 10. p. 307. A vespera diei sabbati usque ad vesperam diei Dominici sequestrati a rurali opere et ab omni negotio, soli Divino cultui vacemus.

[36] Conc. Aurel. 3. can. 27. Quia persuasum est populis, die Dominico cum caballis et bobus et vehiculis itinerare non debere, neque ullam rem ad victum præparare, vel ad nitorem domus vel hominis pertinentem nullatenus exercere: quæ res quia ad Judæam magis, quam ad observantiam Christianam pertinere probatur; id statuimus, die Dominico, quod ante fieri licuit, licere. De opere tamen rurali, id est, agricultura, vel vinea, vel sectione, vel messione, vel excussione, vel execta sepe censuimus abstinendum, quo facilius ad ecclesiam venientes, orationis gratia vacent.

[37] Conc. Antissiodor. can. 16. Non licet die Dominico boves jungere, vel alia opera exercere.

day to yoke oxen, or do any works of the like nature. And the second council of Mascon:[38] Let no one on this day prosecute a law-suit, no lawyer plead any causes, no one put himself under the necessity of yoking his oxen. But be ye all intent and ready, both in body and mind, to sing hymns and praises to God. If any one contemn this admonition, he shall be punished according to the quality of his offence. If he be a lawyer, he shall lose his privilege of pleading; if he be a countryman, or slave, he shall be severely beaten with rods; if a clergyman, or monk, he shall be six months suspended from the communion of his brethren. There are[39] a great many other French and Spanish councils to the time of Charles the Great, that have canons prohibiting the same thing; which show, that the liberty indulged by Constantine of working at husbandry on the Lord's day, was never well approved by the church: but it was no easy matter to restrain men from the use of that first liberty which the law had granted them, and therefore they continued to enjoy the indulgence, which had so plausible a pretence; and in many places the evil increased; for some kept courts, and pleaded causes, and kept fairs and markets, and traded on this day as well as any other, as appears from the several complaints made against these things in the time of Charles the Great, who endeavoured among other things to correct these abuses in his reformation.

But the church did not only oppose the profaners of the Lord's day, but all such as with a Pharisaical superstition, on the other hand, pretended to carry the observation of it to an unreasonable rigour and strictness, in abstaining from all bodily labour. The Dositheans, among the Jews, are noted by Origen[40] as putting a ridiculous sense upon the law of Moses, which said, "Abide ye every man in his place, let no man go out of his place on the seventh day." This they interpreted so literally and rigorously, as that whatever habit, place, or posture, a man was found in on the sabbath day, he was to continue in it till the evening; that is, if he was found sitting, he must sit still all the day; or if lying down, he must lie all the day. The Jewish rabbins were as ridiculous in their confutation of this dream of Dositheus; for they pretended to say, out of some fabulous and frivolous traditions, that every man's place was the space of two thousand cubits round him; and therefore he that travelled no farther, was not reputed to move out of his place.[41] They were no less ridiculous in interpreting those other laws against working and bearing burdens on the sabbath day. They said,[42] If a man had nails in his shoes, it was reputed a burden; but if he had no nails, it was no burden. If he carried any thing upon one shoulder, it was a burden; but if upon both shoulders, it was none. And some of them were so superstitious, as, if their lives lay at stake, they would not move a finger to help themselves, for fear they should be thought to break the sabbath by working. Synesius[43] gives a famous instance of this in a certain Jewish pilot, who was steering a ship in a violent tempest: he laboured hard till the sabbath came on, but then he let go the helm, and left the ship to the mercy of the winds and sea; and though a soldier threatened him with present death, unless he would resume his labour, yet he refused, and, like a true Maccabee, was ready to sacrifice his life to his superstition. But afterwards, upon second thoughts, about midnight he betook himself to his post, saying, Now the law allows it, because we run the hazard of our lives. Synesius elegantly calls him a Maccabee for his first resolution; because a thousand of the Maccabees suffered themselves to be cut in pieces by their enemies, rather than they would take the sword in hand to fight, or do any thing to defend themselves, on the sabbath day. Which made Mattathias and his friends decree, That whoever should come to make battle with them on the sabbath day, they would fight against him, and not die all, as their "brethren that were murdered in the secret places," 1 Mac. ii. 41. And the Jewish pilot wisely bethought himself in time of this example, and so saved the ship at last by working on the sabbath. Josephus[44] says, this decree of Mattathias was observed by the Jews in part; for if they were in present danger of their lives, they would fight on the sabbath; but if the enemy only made preparation for an assault the next day, and did not actually

[38] Conc. Matiscon. 2. can. 1. Nullus vestrum litium fomitibus vacet: nullus causarum actiones exerceat: nemo sibi talem necessitatem exhibeat, quæ jugum cervicibus jumentorum imponere cogat, &c.

[39] Vid. Conc. Tolet. 11. can. 8. et Præceptum Guntranni Regis, ad calcem Concilii. Conc. Arelaten. 6. can. 16. Conc. Cabilonen. 2. can. 18. Conc. Moguntin. sub Carolo M. can. 37. Conc. Turonen. sub eodem, can. 40. Conc. Rhemens. can. 35.

[40] Orig. περὶ ἀρχῶν, lib. 4. cap. 2. p. 743. Alii, ex quibus Dositheus Samaritanus——ridiculosius aliquid statuunt, quia unusquisque quo habitu, quo loco, qua positione in die sabbati fuerit inventus, ita usque ad vesperam debeat permanere, id est, vel si sedens, ut sedeat tota die: vel si jacens, ut tota die jaceat. This is repeated in Origen's Philocalia, cap. 1. p. 14.

[41] Orig. ibid. Fabulas autem inanes et frivolas commentantur, ex nescio quibus traditionibus proferentes de sabbato, dicentes, Unicuique locum suum reputari intra duo millia ulnarum.

[42] Orig. ibid. Ad fabulas devoluti sunt Judæorum doctores, dicentes, Non reputari onus, si calceamenta quis habeat sine clavis; onus vero esse, si quis caligulas cum clavis habuerit. Et si quidem super unum humerum aliquid portaverit, onus judicant: si vero supra utrumque, negabunt esse onus.

[43] Synes. Ep. 4. ad Euoptium.

[44] Joseph. Antiq. lib. 14. c. 8.

assault them on the sabbath, they would do nothing to oppose them on that day. And this gave occasion to Pompey I., and to Titus afterward, to overcome them. The Essenes were yet more rigorous; for they would not kindle a fire, nor move a vessel out of its place, on the sabbath day. And the Dositheans exceeded all the rest, as we have heard before, in superstitious madness. The Christians therefore, in opposition to these furies, were careful to observe a just medium in the celebration of the Lord's day, neither to indulge themselves the liberty of unnecessary works on this day, nor wholly to abstain from working, if a great occasion required it. The council of Laodicea thus determines[45] the matter, in settling the observation both of the sabbath and the Lord's day, between which they put this difference, That Christians should not Judaize, or rest from bodily labour on the sabbath, but work on that day (that is, so far as Divine service would permit): but they were to give preference in this respect to the Lord's day, and to rest, if possible, and abstain from working. But if any were found to Judaize, they were to be anathematized as great transgressors. Balzamon and Zonaras upon this canon very well observe, that the words *εἴγε δύναιντο*, if possible, suppose some special cases that may dispense with men's working on the Lord's day, as extreme poverty and want, to which may be added all other cases of necessity, as fighting to preserve men's lives against an enemy, toiling at the helm and oar to escape the violence of a tempest, travelling to church for the service of God, dressing of food for the life of man, labouring to deliver a man or beast in manifest danger of death, and any the like cases, which are all so reasonable, that the greatest adversaries of our Saviour, when he proposed some such cases, could not but own the justness of his proceedings: and from his example the Christian church took her measures, in stating the exceptions that were proper to be made to the law about working on the Lord's day, in contradistinction to the perverse way of observing the Jewish sabbath.

Sect. 4. No public games, or shows, or ludicrous recreations allowed on this day.

Another thing which the Christian laws took care of, to secure the honour and dignity of the Lord's day, was, that no ludicrous sports, or games, or recreations, however allowable at other times, should be followed or frequented on this day. There are two famous laws of Theodosius senior, and his grandson, Theodosius junior, to this purpose in the Theodosian Code. The first peremptorily forbids any one, who, either by his office or otherwise, had any concern in exhibiting the public games to the people, to gratify them with any thing of this kind on the Lord's day,[46] whether it were a gymnastical exercise of gladiators in the theatre, or a stage-play or a horse-race in the cirque, or a hunting and fighting of wild beasts; lest the worship of God should be disturbed and confounded with any such entertainments as these. And the other[47] extends the prohibition of these pleasures as well to the festival of Christ's Nativity, and Epiphany, and Easter, and Pentecost, as to the Lord's day; and equally enjoins both Jews and Gentiles over all the world so far to show a respect to these days, as to know how to make a distinction between times of supplication and times of pleasure. Nor should it be any excuse for any one to plead, he exhibited such diversions to the people in honour of the emperor's birthday, which might happen to fall in with some of these seasons; for they were given to understand, that no greater honour could be paid to his imperial majesty on earth, than to have a just respect and veneration showed to the majesty of Almighty God in heaven. A like order was made by Leo and Anthemius, that no stage-play, nor games of the cirque, nor hunting of wild beasts, should[48] be performed on this day. And if it so happened that any of the emperors' birthdays fell upon the Lord's day, the observation of their birthday should be put off to another day. And whoever transgressed this order, either by exhibiting these games, or by being present at them as a spectator only, if he were a military man, he should forfeit his office; if a private man, be liable to confiscation of all his goods. And the same penalty is imposed on all judges, advocates, and apparitors, that pretended to prosecute any business of the law upon this day. The church was no less careful to guard the service of this day from the encroachment of all vain pastimes and needless recreations. The Jews, though they would not work on their sabbath, yet made no scruple to spend it in idleness, or worse exercises than any innocent bodily labour, as dancing, and revelling, and other unlawful pleasures. Against which the ancients often inveigh, and endeavour to dissuade their people from following so bad an example. The Jews in our time, says St. Austin,[49] celebrate

[45] Conc. Laodic. can. 29. *Ὅτι οὐ δεῖ Χριστιανοὺς ἰουδαΐζειν, καὶ ἐν τῷ σαββάτῳ σχολάζειν, ἀλλὰ ἐργάζεσθαι αὐτοὺς ἐν τῇ αὐτῇ ἡμέρᾳ· τὴν δὲ κυριακὴν προτιμῶντας, εἴγε δύναιντο, σχολάζειν ὡς Χριστιανοί· εἰ δὲ εὑρεθεῖεν Ἰουδαϊσταὶ, ἔστωσαν ἀνάθεμα παρὰ Χριστῷ.*

[46] Cod. Theod. lib. 15. de Spectaculis, Tit. 5. Leg. 2. Nullus solis die populo spectacula præbeat, nec Divinam venerationem confecta solemnitate confundat.

[47] Ibid. Leg. 5. Dominico (qui Septimanæ totius primus est dies) et Natale, atque Epiphaniorum Christi, Paschæ etiam et Quinquagesimæ diebus—omni theatrorum atque circensium voluptate per universas urbes earundem populis denegata, totæ Christianorum mentes Dei cultibus occupantur, &c.

[48] Cod. Justin. lib. 3. Tit. 12. de Feriis, Leg. 11. Nihil eodem die vindicet sibi scena theatralis, aut circense certamen, aut ferarum lachrymosa spectacula. Et si in nostrum ortum aut natalem celebranda solennitas inciderit, differatur, &c.

[49] Aug. in Psal. xci. t. 8. p. 417. Sabbatum in præsenti

their sabbath in a sort of rest, which is nothing but a corporal laziness, languid, vain, and luxurious. For they rest only for trifling vanities; and when God commands them to observe the sabbath, they exercise the sabbath in those things which God forbids. Our rest is from evil works, their rest is from good works; for it is better to go to ploughing, than, as they do, to dancing. They rest from good works, but rest not from works of vanity and trifling. So, in another[50] place, A Jew would do better to work in his field at some useful labour, than spend his time at the theatre in a seditious manner. And their women had much better spin on the sabbath, than spend the whole day on their new moons in immodest dancing. Therefore God commands thee to observe the sabbath spiritually, not, as the Jews do, in carnal rest, to satisfy their vanity and luxury. Prudentius[51] brings the same charge against the Jews, objecting to them their misemploying the sabbath in lascivious dancing. And Ruffin,[52] on those words of Hosea ii. 11, "I will cause all her mirth to cease, her feast days, her new moons, and her sabbaths, and all her solemn feasts," says, These were the feasts in which the whole nation spent their time in dancing, singing, and lascivious banquetings. St. Chrysostom[53] also objects it to them, That when they were delivered from secular cares, they had no regard to spiritual things, sobriety, modesty, and hearing of the word of God; but did all things contrary, serving their belly, indulging drunkenness, stuffing themselves with meat and delicacies, and spending their time in banquetings and pleasures. This was their way of keeping the sabbaths, which St. Chrysostom, following the Septuagint, Amos vi. 3, calls σάββατα ψευδῆ, false sabbaths, when they lay upon beds of ivory, and stretched themselves upon their couches, and eat the lambs out of the flock and the calves out of the midst of the stall; chanting to the sound of the viol, and inventing to themselves instruments of music, like David; drinking wine in bowls, and anointing themselves with the chief ointment; but were not grieved for the affliction of Joseph. Which agrees with the character which another prophet gives of them: "The harp, and the viol, the tabret, and pipe, and wine are in their feasts; but they regard not the work of the Lord, nor consider the operation of his hands," Isa. v. 12. Theodoret,[54] in like manner, reflects upon their abuse of the sabbatical rest in lascivious dancing. And again,[55] on the effeminacy and luxury, wherein they indulged themselves on this day. Upon which account both he[56] and Cyril of Alexandria[57] apply to them the forementioned words of Amos, and charge them with keeping false sabbaths. Their luxury and banqueting on this day was become so extravagant and infamous, that it was noted even to a proverb. Cotelerius[58] thinks the phrase, *luxus sabbatarius*, in Sidonius Apollinarius[59] has reference to this; though Savaro interprets it as spoken of Theodoric and his Arian Goths keeping Saturday as a feast, in opposition to the Roman church, who made it a weekly fast, as we shall see more in the next chapter. The heathens indeed had a quite contrary notion of the Jews; for they thought they fasted on their sabbath: which was a vulgar mistake in them, arising merely from a misapprehension of their laws and practice; for because they kindled no fires nor dressed any meat on the sabbath, they wrongfully concluded that they spent the day in fasting: whereas the Christian writers, who better understood their practice, charge them every where with making it a day of rioting, and drunkenness, and excess of unlawful pleasures; and, as such, they earnestly caution those of their own religion against imitating the Jews in such perverse and abominable corruptions of the law, by turning a day of spiritual rest into a day of carnal pleasure.

But beside the example of the Jews, Christians were under another temptation from the practice of the Gentiles. Therefore the fourth council of Carthage made a decree, That if any one forsook the solemn assembly of the church on the Lord's day, to go to a public[60] show, he should be excommunicated. St. Chrysostom[61] threatens the same punishment, copiously declaiming against the public games, as the conventions of Satan. The African fathers, in one of their general synods,[62] petitioned the emperor Honorius, that the spectacles both of the theatre and other games might be wholly omitted on the Lord's day, and all other noted festivals of the Christian religion, because they had found

tempore otio quodam corporaliter languido et fluxo et luxurioso celebrant Judæi. Vacant enim ad nugas—— vacatio nostra a malis operibus, vacatio illorum a bonis operibus est. Melius est enim arare, quam saltare, &c.

[50] Ibid. de Decem Chordis, cap. 3. t. 9. p. 269.

[51] Prudent. Apotheosis, vers. 421. Lascivire choris, &c.

[52] Ruffin. in Hos. ii. 11. Posuit nomina feriarum, in quibus plurimum lætabatur, cum tota regio choreis, canticis, epulisque lasciviret.

[53] Chrys. Hom. 1. de Lazaro, t. 5. p. 32.

[54] Theod. Quæst. 32. in Levit. [55] Ibid. in Phil. iii. 19.

[56] Ibid. in Amos vi. 3. [57] Cyril. in Amos vi. 3.

[58] Coteler. in Pseudo-Ignat. Ep. ad Magnes. n. 9.

[59] Sidon. lib. 1. Ep. 2.

[60] Conc. Carth. 4. can. 88. Qui die solenni, prætermisso solenni ecclesiæ conventu, ad spectacula vadit, excommunicetur.

[61] Chrys. Hom. 6. in Gen. t. 2. p. 53.

[62] Cod. Can. Afr. c. 61. et Conc. vulgo dictum Africanum, can. 28. Nec non et illud petendum, ut spectacula theatrorum cæterorumque ludorum, die Dominica vel cæteris religionis Christianæ diebus celeberrimis amoveantur: maxime, quia sancti Paschæ octavarum die populi ad circum magis, quam ad ecclesiam conveniunt; et debere transferri devotionis eorum dies, si quando occurrerint; nec oportere etiam quenquam Christianorum cogi ad hæc spectacula.

by sad experience, that even upon the Sunday called the octaves of Easter, the people met more at the horse races in the circus than at church: and therefore they thought, if any such days as were devoted to these pleasures, as the emperors' birthdays, or the like, happened to fall upon a Sunday, it ought to be transferred to some other day: and no heathen should have power to compel a Christian to be a spectator of them upon any occasion. For by the ecclesiastical law, these sorts of diversions were universally forbidden to all Christians,[63] for the extravagances and blasphemies that were committed in them. What care was taken by Honorius to satisfy these demands, and remedy the abuses here complained of, appears not from any law of his in either of the Codes, but rather that he refused to comply with their request to prohibit the games and shows upon any other festivals beside the Lord's day, which had been prohibited before. For by one of his laws,[64] anno 399, he granted licence to the people to solemnize and frequent their usual games and diversions on any public days of rejoicing, only forbidding sacrifice and other superstitious rites of the heathen. But not long after, Theodosius junior published that famous law, called *Dominico*,[65] wherein he not only restrained the people from celebrating their games on the Lord's day, but on all other solemn festivals, Christmas, Epiphany, Easter, and Pentecost, and obliged both Jews and Gentiles over all the world to show a respect to these days, by putting a distinction between days of supplication and days of pleasure. And this became the standing law of the Roman empire.

Sect. 5. All fasting prohibited on this day, even in the time of Lent.

But we are here to note, that such recreations and relaxations or refreshments, as contributed only to the preservation or convenience of the life of man, or had any tendency to promote the performance of Divine worship with greater decency or perfection, were no ways comprehended in this prohibition of recreations and diversions on the Lord's day. Therefore, though the ancient church was very strict in observing her stated and solemn fasts, yet she never allowed any fast to be held on the Lord's day, no, not even in Lent, out of which the sabbath and Lord's day were generally excepted, and made days of common recreation and refreshment. Tertullian[66] says in general, that they counted it a crime to fast on the Lord's day. And he remarks in particular concerning the Montanists,[67] that though they were more rigid than others in observing their fasts, yet they omitted every Saturday and Lord's day throughout the year. St. Ambrose says,[68] they fasted not even in Lent either on the sabbath or the Lord's day; but condemned the Manichees particularly for fasting on the Lord's day, as in effect denying the Lord's resurrection:[69] which is also noted by St. Austin;[70] and Pope Leo condemns the Priscillianists for the same practice.[71] The fourth council of Carthage reckons him no catholic[72] that fasts upon this day. The first council of Braga particularly[73] anathematizes the Cerdonians, Marcionites, Priscillianists, and Manichees for their perverseness in this particular. And there are more general anathemas in the Apostolical Canons,[74] and the council of Gangra,[75] and the council of Saragossa and Agde,[76] and the council of Trullo,[77] against all that under any pretence whatever presumed to make the Lord's day a fasting day; which was not allowed to those who led an ascetic life, without suspicion of some perverse and heterodox opinion. Whence Epiphanius observes,[78] That the true ascetics of the church never fasted on the Lord's day, no, not in Lent, because it was against the custom of the catholic church. And the like observation is made by Cassian of all the monks in the East,[79] that they fasted five days in the week, but on the *hebdomas* and *ogdoas*, that is, the seventh and the eighth day, (so he terms the sabbath and the Lord's day,) they always abstained from fasting and kept them festival. Nor would the council of Gangra allow the Eustathians to fast on the Lord's day, as ascetics, under pain of anathema.

The reason of this observation, the same Cassian tells us,[80] was the respect they had to our Saviour's resurrection from the dead on this day, which they always commemorated with joyfulness, and therefore neither fasted on this day, nor the whole fifty days between Easter and Pentecost, which were all kept festival in memory of our Saviour's resurrection. The same is said by the author of the Con-

[63] Conc. Carth. 3. can. 11.

[64] Cod. Theod. lib. 16. Tit. 10. de Paganis, Leg. 17. Ut profanos ritus jam salubri lege submovimus, ita festos conventus civium, et communem omnium lætitiam non patimur submoveri. Unde absque ulla superstitione damnabili, exhibere populo voluptates, secundum veterem consuetudinem: inire etiam festa convivia, si quando exigunt publica vota, decernimus.

[65] Ibid. lib. 15. Tit. 15. de Spectacul. Leg. 5. cited before in this section.

[66] Tertul. de Coron. Mil. cap. 3. [67] Id. de Jejun. cap. 15.

[68] Ambros. de Elia et Jejun. cap. 10.

[69] Id. Ep. 83. [70] Aug. Ep. 86. ad Casulan.

[71] Leo, Ep. 93. ad Turribium, cap. 4.

[72] Conc. Carth. 4. can. 64. [73] Conc. Bracaren. 1. can. 4.

[74] Canon. Apost. c. 64. [75] Conc. Gangren. can. 18.

[76] Conc. Cæsaraugust. can. 2. Agathens. can. 12.

[77] Conc. Trull. c. 55.

[78] Epiph. Expos. Fid. n. 22. Vid. Hieron. Ep. 28. ad Lucinium.

[79] Cassian. Institut. lib. 3. cap. 9.

[80] Cassian. Collat. 21. cap. 20. Per omnia eandem in illis (50 diebus) solennitatem, quam die Dominica custodimus, in qua majores nostri nec jejunium agendum, nec genu esse flectendum, ob reverentiam resurrectionis Dominicæ tradiderunt.

stitutions: Every sabbath except one,[81] (viz. the great sabbath before Easter,) and every Lord's day, ye shall keep festival. For he is guilty of sin, that fasts on the Lord's day, as being the day of his resurrection; or whoever makes Pentecost or the Lord's day a day of sorrow. For in these days we ought to rejoice, and not to mourn. So again,[82] Keep the sabbath and the Lord's day festival; because the one is the commemoration of the creation, and the other of the resurrection. In like manner Peter, bishop of Alexandria,[83] We keep the Lord's day as a day of joy, because of him who rose upon it. And Cotelerius[84] cites a fragment of Theophilus, bishop of Alexandria, to the same purpose: Both custom and decency requires us to keep the Lord's day a festival, and to give honour to it, because on this day our Lord Jesus Christ procured for us the resurrection from the dead. Yet this rule was not so strictly binding, but that, when a necessary occasion required, and there was no suspicion of heretical perverseness or contempt, men might fast upon this day; as St. Jerom observes,[85] That the apostle Paul sometimes did; and that famous monk, who for the space of forty years never eat till the sun was set. And Celerinus, the confessor in Cyprian, speaking of his sister's lapsing into idolatry in time of persecution,[86] says, For this fact I wept day and night in the midst of the joyful festival of Easter, and spent many days sorrowing in sackcloth and ashes. But such exceptions as these were no derogation to the general practice, which prevailed universally over the whole church, and was observed with great exactness.

Sect. 6. And all prayers offered in the standing posture on the Lord's day, in memory of our Saviour's resurrection.

Another custom, as generally prevailing, was always to pray standing, and never kneeling, on the Lord's day, in memory also of our Saviour's resurrection. And we scarce meet with any exception to this, except it were in the case of penitents under public discipline, whom the canons oblige to pray kneeling even upon the days of relaxation.[87] But setting aside this case, which only respected the penitents in their own particular prayers, the general custom was for all the faithful or communicants to pray standing. For which we have the concurrent testimony of Irenæus, Tertullian, Clemens Alexandrinus, Cyprian, the council of Nice, Hilary, Basil, Epiphanius, St. Jerom, St. Austin, Cassian, the author of the Questions under the name of Justin Martyr, Martin Bracarensis, the council of Trullo, and the council of Tours in the time of Charles the Great. All which testimonies I have had occasion to recite at large once before,[88] and therefore spare the repetition of them in this place; only observing from the two last of them, that this custom was not only general, but of long continuance in the church; and when or how it came to be altered or laid aside, I think is not very easy to determine.

Sect. 7. The great care and concern of the primitive Christians in the religious observation of the Lord's day. This demonstrated, first, From their constant attendance upon all the solemnities of public worship.

The last thing to be noted in this matter is, the great care and concern of the primitive Christians for the religious observation of the Lord's day; of which they have left us several demonstrations: first, in that they paid a ready and constant attendance upon all the offices and solemnities of public Divine worship. They did not only rest from bodily labour and secular business, but spent the day in such employments as were proper to set forth the glory of the Lord, to whose honour the day was devoted; that is, in holding religious assemblies for the celebration of the several parts of Divine service, psalmody, reading of the Scriptures, preaching, praying, and receiving the communion, all which were the constant service of this day; and such was the flaming zeal of those pious votaries, that nothing but sickness, or a great necessity, or imprisonment, or banishment, could detain them from it; and then also care was taken, that the chief part of it, the communion, was administered to them by the hands of the deacons, who carried it to those that were sick or in prison, that, as far as was possible, they might communicate still with the public congregation. This is plain from the account which Justin Martyr gives of their worship:[89] On the day called Sunday, all that live in city or country meet together, and the writings of the apostles and prophets are read to them; after which the bishop or president of the assembly makes a discourse to the people, exhorting them to follow the good things they have heard: then we all rise, and make common prayer; and when prayers are ended, bread and wine and water are brought to the president, who prays and gives thanks with all possible fervency over them, the people answering, Amen. After which, distribution of the elements is made to all that are present, and they are sent to the absent by the hands of the deacons. By this account it appears, that Christians joined, as far as was possible, in the public service of the Lord's day, and particularly in receiving the communion, from which

[81] Constit. lib. 5. cap. 20. [82] Ibid. lib. 7. cap. 23.

[83] Pet. Alexand. can. 15.

[84] Coteler. Not. in Constitut. lib. 5. cap. 20. p. 328.

[85] Hieron. Ep. 28. ad Lucinium Bæticum. Utinam omni tempore jejunare possimus, quod in Actibus Apostolorum, diebus Pentecostes et die Dominico apostolum Paulum et cum eo credentes fecisse legimus.

[86] Celerin. Ep. 21. ad Lucian. ap. Cypr. p. 45. Pro cujus factis ego in lætitia Paschæ flens die et nocte, in cilicio et cinere lachrymabundus dies exegi.

[87] Conc. Carthag. 4. can. 82. Pœnitentes etiam diebus remissionis genua flectant.

[88] Book XIII. chap. 8. sect. 3

[89] Justin. Apol. 2. p. 98

the absent were not exempt, if there was any possibility of their receiving it.

Sect. 8. 2ndly, From their zeal in frequenting religious assemblies even in times of persecution.

Neither was it any pretence of danger in times of difficulty and persecution, that could abate their zeal for the public worship on the Lord's day; for when they could not meet by day to serve God without hazard of their lives, they kept their nocturnal convocations, or morning assemblies, for this purpose. Which is evident from the account which Pliny gives of them,[90] that they were used to meet before it was light on this solemn day, and sing their morning hymns to Christ. So Tertullian, in answer to one asking,[91] How they should celebrate the Lord's day solemnities for fear of the soldiers coming in to discover them? replies, first, That they should do it as the apostles did, by faith, and not by bribing them. For if faith could remove mountains, it could much more easily remove a soldier out of the way. But if they could not meet by day, they had the night sufficiently clear with the light of Christ to protect them. The same author[92] tells the heathen, who maliciously objected to them the murdering of an infant in their assemblies, that they were often beset, they were often betrayed, they were daily seized in their meetings and congregations; but no one ever found them acting such a tragedy, no one ever made evidence of their being such bloody Cyclops and Sirens before a judge. Nay, they were sometimes barbarously murdered in their assemblies, whilst the laws forbade their meetings under the name of *hetæriæ*, and denied them their *areæ*, or places of worship, as unlawful cabals, where they met only to plôt treason and rebellion against the government. Under which pretence, Lactantius[93] and Eusebius[94] tell us, one of the heathen judges burnt a whole city of people in Phrygia, together with their church, where they were met together to worship God. And the laws[95] forbidding their assemblies are mentioned both by Pliny and the Christian writers. So that in these times of difficulty the Christians could not meet for Divine worship but at the hazard of their lives; and yet they did not think this a sufficient excuse to forsake the assembling of themselves together, but met continually to solemnize the Lord's day in spite of all the danger and opposition to the contrary.

Sect. 9. 3rdly, From their studious observation of the vigils, or nocturnal assemblies preceding the Lord's day.

A further instance of their zeal was showed in the studious observation of the long vigils, or nocturnal assemblies preceding the Lord's day. For though these were first begun in times of persecution, yet they continued them as a useful exercise of piety, when the persecutions were over: and the greatest personages did not refuse to frequent and encourage them, as Sidonius Apollinarius[96] particularly notes of Theodoric, king of the Goths, that he usually came with a small guard to the morning or antelucan assemblies of his party (for he was by sect an Arian); which he did to promote the cause of the Arians, who commonly vied zeal with the catholics in this service. And this made the catholics, both clergy and laity, princes and people, express a more earnest concern for this particular way of introducing the great service of the Lord's day, as I have had occasion more fully to demonstrate[97] in a former Book. All that I shall remark further here is, that though this morning service was very long, (for it commonly continued in psalmody, hymns, and prayers from midnight till break of day,) yet it was generally attended with great alacrity and assiduity by men of all ranks, who voluntarily resorted to it without any necessity or compulsion laid upon them. And this was another instance of their great zeal in the religious observation of the Lord's day.

Sect. 10. 4thly, From their attendance upon sermons in many places twice on this day.

4. It is worth our remarking also, that in many places, especially in cities and churches of greater note, they had usually sermons twice on this day, and men resorted with diligence to the evening as well the morning sermon. St. Chrysostom sometimes[98] commends the people of Antioch for their zeal in this matter. And there are several passages in St. Austin, St. Basil, Theodoret, and Gaudentius, which plainly refer to the same practice, of which I need say no more here, because I have more fully represented them in discoursing of the ancient manner of preaching[99] in another place.

Sect. 11. 5thly, From their attendance on evening prayers, where there was no sermon.

5. In such churches as had no evening sermon, there was still the common service of evening prayer; and men generally thought themselves obliged to attend this, as a necessary part of the public worship and solemnity of the Lord's day.

[90] Plin. lib. 10. Ep. 97.

[91] Tertul. de Fuga, cap. 14. Quomodo Dominica solemnia celebrabimus? Utique quomodo et apostoli, fide, non pecunia tuti. Quæ fides si montem transferre potest, multo magis militem. ——— Postremo si colligere interdiu non potes, habes noctem luce Christi luminosi adversus eam.

[92] Tertul. Apol. cap. 7. Quotidie obsidemur, quotidie prodimur, in ipsis plurimum cœtibus et congregationibus nostris opprimimur. Quis unquam taliter vagienti infanti supervenit? Quis cruenta, ut invenerat, Cyclopum et Sirenum ora judici reseravit?

[93] Lact. lib. 5. cap. 11. Aliqui ad occidendum præcipites extiterunt, sicut unus in Phrygia, qui universum populum cum ipso pariter conventiculo concremavit.

[94] Euseb. lib. 8. cap. 11.

[95] Plin. Ep. 97. lib. 10. Tertul. ad Scapul. cap. 3. Euseb. lib. 10. cap. 2.

[96] Sidon. lib. 1. Ep. 2.

[97] Book XIII. chap. 9. sect. 4. and chap. 10. sect. 12, &c.

[98] Chrys. Hom. 10. ad Pop. Antioch. t. 1. p. 132.

[99] Book XIV. chap. 4. sect. 8.

Some, indeed, in these primitive ages had their objections against this, which St. Chrysostom[100] in one of his homilies mentions, and smartly answers. Why should we go to church, said they, if we cannot hear a preacher? This one thing, says Chrysostom in his reply, has ruined and destroyed all religion. For what need is there of a preacher, except when that necessity arises from our sloth and negligence? What need is there of a homily, when all things necessary are plainly revealed in Scripture? Such hearers as desire to have something new every day, only study to delight their ears and fancy. Tell me, what pompous train of words did St. Paul use? And yet he converted the world. What eloquent harangues did the illiterate Peter make? But the Scriptures are dark and hard to be understood (without a sermon to explain them). How so? Are they read in Hebrew, or Latin, or any other strange language? Are they not read in Greek, to you that understand Greek? What difficulties do the histories contain? You may understand the plain places, and take some pains about the rest. Oh, but we have the same things read to us out of Scripture. And do you not hear the same things every day in the theatre? Have you not the same sight at the horse race? Are not all things the same? Does not the same sun rise every morning? Do you not eat the same meat every day? Hence he concludes, That all these were but pretences for idleness, or mere indications of a sceptical temper. So again, when some would have excused themselves from these prayers of the church, by this frivolous plea, that they could pray at home, but they could not hear a sermon in their own houses; and therefore they would come to sermon, but not to prayers; he makes this handsome reply: You deceive[101] yourself, O man; for though you may pray at home, yet you cannot pray there in the same manner as you may in the church, where there are so many fathers together, and where the cry of your prayers is sent up to God with one consent. You are not heard so well, when you pray to God by yourself alone, as when you pray with your brethren. For there is something more here, consent of mind, and consent of voice, and the bond of charity, and the prayers of the priests together. For the priests for this very reason preside in the church, that the people's prayers, which are weaker of themselves, laying hold on those that are stronger, may together with them mount up to heaven. In another place, answering the same vulgar plea, That men could pray at home, he tells them,[102] You may pray at home indeed, but your prayers are not of that efficacy and power, as when the whole body of the church, with one mind and one voice, send up their prayers together; the priests assisting, and offering up the prayers of the whole multitude in common. This was the sense which that holy man had of public prayer on the Lord's day, though there was no sermon; and the method he took to show men their obligation to frequent the church for public prayer, which, when men had opportunity to frequent it, was always to be preferred before private devotion. They might both very well consist together, and both be performed as proper exercises for the Lord's day; but the one was not to jostle out the other, or to be pleaded as a rational excuse for absenting from the public service. He that would see this matter more fully stated, may look back to the discourse of church unity,[103] where men's obligation to preserve the unity of worship, in joining with the church in prayers, and administration of the word and sacraments, has been amply considered.

Sect. 12. 6thly, From the censures inflicted on those who violated the laws concerning the religious observation of the Lord's day.

6. I shall but mention one instance more of their great zeal and concern for the religious observation of the Lord's day, and that is, the church's care in making many good laws of discipline, for the censure and punishment of those who, in any considerable degree, violated the just observation of it. If any one absented for three Lord's days from the public assembly of the church, without any just reason or necessity to compel him, this was an offence thought worthy of excommunication, as may be seen in the canons of the council of Eliberis,[104] and Sardica, and Trullo. If any one went to the public games in the theatre or the circus on this day, he was liable to excommunication also for a single offence after a first admonition, as appears from the councils of Carthage[105] and the denunciations of St. Chrysostom. If any one left the church whilst the bishop was preaching, by a rule of the fourth council of Carthage[106] he was liable to the same condemnation and censure. If any one came to church to hear the Scriptures read and the sermon preached, but refused to join in prayers or the reception of the communion, (which in those times was administered to all in general every Lord's day,) he was to be excommunicated for his offence, and reduced to the state of a penitent, as one who brought confusion and disorder into the church. This we learn from the Apostolical Canons,[107] and the councils of Antioch,

[100] Chrys. Hom. 3. in 2 Thess. p. 1502.

[101] Hom. 3. de Incomprehensibili, t. 1. p. 363.

[102] Hom. 2. de Obscurit. Prophet. t. 3. p. 946.

[103] Book XVI. chap. 1. sect. 5.

[104] Conc. Elib. can. 21. Conc. Sardic. can. 11. Conc. Trull. can. 80.

[105] Conc. Carthag. 4. can. 88. Chrys. Hom. 6. in Gen. t. 2. p. 53.

[106] Conc. Carthag. 4. can. 24.

[107] Canon. Apost. c. 7. Conc. Antioch. can. 2. Conc. Eliber. can. 27. Conc. Tolet. 1. can. 13 et 14.

Eliberis, and Toledo. If any one held a separate assembly, or frequented or encouraged any such, he was to be treated as a heretic or schismatic, for despising the service of the Lord's day. The Apostolical Canons [108] excommunicate all such, and the council of Gangra [109] lays the heaviest censure of anathema upon them. If any one perversely choose to make the Lord's day a day of fasting, because this was contrary to the general rule and practice of the church, and gave suspicion of some heresy denying the resurrection of the Lord, the Apostolical Canons,[110] and the council of Gangra,[111] and the fourth council of Carthage,[112] and the first of Braga,[113] peremptorily denounce such an one excommunicate, and anathema, and no catholic, as herding with the impious Manichees, Marcionites, Priscillianists, and such other heretics, as purposely choose to fast on the Lord's day, to show despite to the doctrine of our Saviour's humanity and resurrection. I have discoursed these things at large in giving an account of the unity and discipline of the church in a former Book,[114] and therefore only just touch them here, to show with what zeal and concern the ancients laboured to establish the observation of the Lord's day, which they esteemed the queen and empress of all days, in which our life was raised again, and death conquered by our Lord and Saviour: as the author of the epistle to the Magnesians under the name of Ignatius [115] words it, who in this speaks the language of the ancients, who often style this day, the queen of days,[116] as Buxtorf observes [117] the rabbins were used to term the Jewish sabbath, *Malchah*, that is, The queen of days; from whom the Christians took the name, and transferred it to the Lord's day, which is the proper Christian sabbath.

CHAPTER III.

OF THE OBSERVATION OF THE SABBATH, OR SATURDAY, AS A WEEKLY FESTIVAL.

Sect. 1. The Saturday, or sabbath, always observed in the Eastern church as a festival.

NEXT to the Lord's day the ancient Christians were very careful in the observation of Saturday, or the seventh day, which was the ancient Jewish sabbath. Some observed it as a fast, others as a festival; but all unanimously agreed in keeping it as a more solemn day of religious worship and adoration. In the Eastern church it was ever observed as a festival, one only sabbath excepted, which was called the Great Sabbath, between Good Friday and Easter-day, when our Saviour lay buried in the grave, upon which account it was kept as a fast throughout the whole church. But setting aside that one sabbath, all the rest were kept as festivals in the Oriental church. St. Austin, though he lived in a country where it was kept a fast, yet testifies for the contrary practice [1] of the Eastern church. For writing to St. Jerom, he asks him, Whether he thought an Oriental Christian, when he came to Rome, might not without any dissimulation fast on every sabbath, as well as that one sabbath called the Paschal vigil? If we say it is a sin, (to fast on the sabbath,) we shall condemn not only the Roman church, but many neighbouring churches, and some at a greater distance, where that custom is kept and retained. But if we think it is a sin not to fast on the sabbath, we shall rashly condemn all the Oriental churches, and the greatest part of the Christian world. We should, therefore, rather say, it is a thing indifferent in itself, which a good man may perform either way without dissimulation, complying with the society and observation of the church where he happens to be. From hence it is plain, that all the Oriental churches, and the greatest part of the world, observed the sabbath as a festival. And the Greek writers are unanimous in their testimony. The author of the Constitutions, who describes the customs chiefly of the Oriental church, frequently speaks of it. On the sabbath [2] and the Lord's day, on which Christ rose from the dead, ye shall more carefully meet together, to praise God, who created all things by Jesus, to hear the Prophets and the Gospels read, to offer the oblation, and partake of the holy supper. In another place [3] he says, Christ commanded them to fast on the sabbath before Easter; not that they were to fast on the sabbath, on which God rested from the creation, but only on that one sabbath, when the Creator of the world lay under the earth.

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[108] Can. Apost. c. 32. [109] Conc. Gangren. can. 5, 6, 7, &c.
[110] Canon. Apost. 64. [111] Conc. Gangren. can. 18.
[112] Conc. Carth. 4. can. 64. [113] Conc. Bracar. 1. can. 4.
[114] Book XVI. chap. 1. sect. 5. and chap. 8. sect. 2.
[115] Pseudo-Ignat. Ep. ad Magnes. n. 9.
[116] Naz. Orat. 43. in Dominicam Novam, p. 703. Ἡ βασίλισσα τῶν ὡρῶν τῇ βασιλίδι τῶν ἡμερῶν πομπεύει. Regina temporum reginæ dierum pompam peragit.
[117] Buxtorf. Synagog. Judaic. cap. 10. p. 246. Rabbini sabbatum Malchah sive reginam nominarunt. Jam si quis vestes regales, ante reginam illam compariturus, non indueret; quales alias causa regum honorandorum quilibet induere soleret; per id regina talis dedecore magno afficeretur.

[1] Aug. Ep. 19. ad Hieronym. p. 29. Vellem me doceret benigna sinceritas tua, utrum simulate quisquam sanctus Orientalis, cum Romam venerit, jejunet sabbato, excepto illo die Paschalis Vigiliæ? Quod si malum esse dixerimus, non solum Romanam ecclesiam, sed etiam multa ei vicina, et aliquanto remotiora condemnabimus, ubi mos idem tenetur et manet. Si autem non jejunare sabbato malum putaverimus, tot ecclesias Orientis, multo majorem orbis Christiani partem qua temeritate criminabimur? Placetne tibi, ut medium quiddam esse dicamus, &c.
[2] Constit. lib. 2. cap. 59. [3] Ibid. lib. 5. cap. 15.

And again,[4] On every sabbath, except one, and the Lord's day, ye shall hold festival assemblies. The sabbath[5] and the Lord's day ye shall observe as festivals, because the one is the remembrance of the creation, and the other of the resurrection. But one sabbath in the year, viz. that on which our Lord lay buried in the grave, ye shall keep as a fast, and not a festival. For whilst the Creator lay under the earth, mourning was more becoming upon his account, than joy for the creation; because the Creator in nature and dignity is more honourable than all his creatures. Finally, he represents it as[6] the order of the apostles Peter and Paul, that servants should work five days in the week, but on the sabbath and the Lord's day they should rest, that they might have liberty to go to church for instruction in piety; on the sabbath, in regard to the creation; on the Lord's day, in regard to the resurrection. Athanasius likewise tells us,[7] that they held religious assemblies on the sabbath, not because they were infected with Judaism, but to worship Jesus the Lord of the sabbath. Epiphanius says the same,[8] That it was a day of public assembly in many churches, meaning the Oriental churches, where it was kept a festival.

Sect. 2. Observed with the same religious solemnities as the Lord's day.

Other authors are more particular in describing the religious service of this day; and so far as concerns public worship, they make it in all things conformable to that of the Lord's day; which is a further evidence of its being a festival. They tell us, They had not only the Scriptures read, as on the Lord's day, and sermons preached, but the communion administered also. Which is expressly said by Socrates,[9] and Cassian,[10] and St. Basil,[11] and Timothy of Alexandria,[12] and St. Austin,[13] and the council of Laodicea;[14] which council particularly forbids the offering of the eucharistical oblation, or solemnizing any memorials of martyrs, on any other days in Lent, beside the sabbath and the Lord's day, because all other days were days of fasting, but these, even in Lent, were kept as festivals and days of relaxation. I have once before[15] had occasion to produce the testimonies of these several writers at large, and therefore it is sufficient here to make a short reference to them, to show the ancient manner of keeping the sabbath festival in the Oriental church.

Sect. 3. But in some other respects the preference was given to the Lord's day.

Only here we are to observe, that though the substance of the service for the sabbath and the Lord's day was the same, yet in rites and ceremonies a difference was made, and in some other respects the preference was given to the Lord's day above the sabbath. For, first, we find no ecclesiastical laws obliging men to pray standing on the sabbath; for that was a ceremony peculiar to the Lord's day, in memory of our Saviour's resurrection. Nor, secondly, are there any imperial laws forbidding law-suits and pleadings on this day. Nor, thirdly, any laws prohibiting the public shows and games, as on the Lord's day. Nor, fourthly, any laws obliging men to abstain wholly from bodily labour. But, on the contrary, the council of Laodicea[16] has a canon forbidding Christians to Judaize, or rest on the sabbath, any further than was necessary for public worship; but they were to honour the Lord's day, and rest on it as Christians. And if any were found to Judaize, an anathema is pronounced against them. The like direction is given by the author of the epistle to the Magnesians,[17] in conformity to this rule: Let us not keep the sabbath after the Jewish manner, rejoicing in idleness: "For he that will not work, neither let him eat;" and, "In the sweat of thy face shalt thou eat thy bread," say the Divine oracles: but let every one of you keep the sabbath spiritually, rejoicing in the meditation of the law, not in the rest of the body; admiring the workmanship of God, not eating things dressed the day before, nor drinking lukewarm drink, nor walking within a certain space, (the limits of a sabbath day's journey,) nor taking pleasure in dancing and shouting, which things have no sense or reason in them. Here are several superstitions and vanities in the Jewish observation of the sabbath reflected on by this author, but I only note the opposition he makes between the Christian and Jewish way of observing the sabbath in point of working. The Jews abstained wholly from working on the sabbath; the Christians only so far as was necessary for their attendance upon Divine service in the church. And in this sense, I think, we are to understand the author of the Constitutions,[18] when he says, Let servants work five days in the week, but on the sabbath and the Lord's day let them rest in the church for their instruction in piety. But if any think, with Cotelerius, that he extends the rest of the sabbath as far as that of the Lord's day, because he joins them both together; I will not contend about it, but only say, he then contradicts the Laodicean fathers, who plainly forbid a total rest upon the sabbath, to give some preference in this respect to the Lord's day, which was of greater esteem in the Christian church.

[4] Constit. lib. 5. cap. 20. p. 327. [5] Lib. 7. cap. 23.
[6] Lib. 8. cap. 33.
[7] Athan. Hom. de Semente, t. 1. p. 1060.
[8] Epiphan. Exposit. Fid. t. 1. p. 1107.
[9] Socrat. lib. 5. cap. 22. lib. 6. cap. 8.
[10] Cassian. Institut. lib. 3. cap. 2. [11] Basil. Ep. 289.
[12] Timoth. can. 13. [13] Aug. Ep. 118.
[14] Conc. Laodic. can. 49 et 101. See also Cassian. Institut. lib. 3. cap. 26. et Asterius Amasen. Hom. 5. ap. Combefis, Auctar. t. 1. p. 78.
[15] Book XIII. chap. 9. sect. 3. [16] Conc. Laodic. can. 29.
[17] Pseudo-Ignat. ad Magnes. n. 9. [18] Constit. lib. 8. cap. 33.

Sect. 4. Why the ancient church continued the observation of the Jewish sabbath.

If it be inquired, why the ancient church continued the observation of the Jewish sabbath, when they took it to be only a temporary institution given to the Jews only, as circumcision and other typical rites of the law; (which is expressly said by many of the ancient writers, particularly by Justin Martyr,[19] Irenæus,[20] Tertullian,[21] Eusebius,[22] to name no more;) it is answered by learned men,[23] that it was to comply with the Jewish converts, as they did in the use of many other indifferent things, so long as no doctrinal necessity was laid upon them. "For the Jews being generally the first converts to the Christian faith, they still retained a mighty reverence for the Mosaic institutions, and especially for the sabbath, as that which had been appointed by God himself, as the memorial of his rest from the work of creation, settled by their great master, Moses, and celebrated by their ancestors for so many ages, as the solemn day of their public worship, and were therefore very loth it should be wholly antiquated and laid aside. For this reason, it seemed good to the prudence of those times, (as in other of the Jewish rites, so in this,) to indulge the humour of that people, and to keep the sabbath as a day for religious offices, viz. public prayers, reading of the Scriptures, preaching, celebration of the sacraments, and such like duties." But when any one pretended to carry the observation of it further, either by introducing a doctrinal necessity, or pressing the observation of it precisely after the Jewish manner, they resolutely opposed it, as introducing Judaism into the Christian religion. For this reason, the Ebionites were condemned for joining the observation of the sabbath[24] according to the law of the Jews, with the observation of the Lord's day after the manner of Christians. Against such the council of Laodicea[25] pronounces anathema, that is, such as taught the necessity of keeping the sabbath a perfect rest with the Jews. And in this sense we are to understand what Gregory the Great[26] says, That antichrist will renew the observation of the sabbath. He must needs mean the observation of it after the Jewish manner: since in the Christian way it was observed as well by the Latin church as the Greek; only with this difference, that the Latins kept it a fast, and the Greeks a festival.

Sect. 5. Why it was kept as a festival in the Oriental church.

If it be inquired, what was the occasion of this difference, why the Greek church observed it as a festival, and the Latin as a fast? I answer, the Greek church received it as they found it delivered to them by the Jews, among whom it was always a festival. But besides this, there was another reason inclining them to do it. For Marcion the heretic made it a part of his heresy to fast on the sabbath, in opposition to the God of the Jews, pretending that there was another God to be worshipped beside the Creator of the world, who was the God of the Jews; and therefore he appointed the sabbath to be kept a fast, that he might not seem to comply with the rites of the God of the Jews, who rested from his work of creation on the sabbath or seventh day. This is expressly said by Epiphanius:[27] Marcion for this reason fasted on the sabbath. For, said he, since that day is the rest of the God of the Jews, who made the world and rested on the sabbath day, we therefore fast on that day, that we may not do any thing in compliance with the God of the Jews. Now, this made the catholics more zealous to keep the sabbath a festival, that they might not seem to give any countenance to the wicked blasphemy and impiety of Marcion, or any ways reflect upon the God of the Old Testament, whom they owned and honoured as the Father of our Lord Jesus Christ, which Marcion did not: since he in spite to the true God made the sabbath a fast, they thought it proper to keep it a festival, as it had always been from its first institution. And in opposition to his heresy, soon after it began to spread, a canon was made in the church, which now we have among those called the Apostolical Canons,[28] That if any clergyman was found to fast on the Lord's day, or on the sabbath, one only excepted, he should be deposed; or if he was a layman, be cast out of the communion of the church. After Marcion there arose many other sects, who followed him in this particular singularity of keeping the sabbath as a fast, though they did not all agree in the same reasons for doing it. The Eustathians did it for the exercise of an ascetic life; and the Massalians, or Euchites, on the same pretence: yet the church would not allow them in their practice. The Marcianists (who were a distinct sect from the Marcionites, for they were so called from one Marcianus Trapezita in the time of Justinian) kept the sabbath also a fast. So did also the Sabbatians, Lampetians, Choreutæ, and Adelphians, who are condemned by Maximus,[29] and Anastasius,[30] and Timotheus of Constantinople,[31] and Nicephorus Patriarcha,[32] whose testimonies, collected and corrected

[19] Justin. Dial. cum Tryph.
[20] Iren. lib. 4. cap. 30.
[21] Tertul. cont. Jud. cap. 4.
[22] Euseb. Hist. lib. 1. cap. 4.
[23] Cave, Prim. Christ. lib. 1. cap. 7. p. 174.
[24] Theod. de Fabul. Hæret. lib. 2. cap. 1.
[25] Conc. Laodic. can. 29.

[26] Greg. lib. 11. Ep. 3. Antichristum renovaturum sabbati observantiam.
[27] Epiphan. Hær. 42. n. 3. [28] Canon. Apost. 64. al. 66.
[29] Maxim. in Dionys. de Eccles. Hierarch. cap. 6.
[30] Anastas. Quæst. 64.
[31] Timoth. De iis qui ad Fidem Catholicam accedunt.
[32] Niceph. Antirrhetic.

out of manuscripts, the curious reader may find at large in Cotelerius[33] and Combefis.[34] I only observe, that the council of Trullo, which was held anno 692, or 707, censures the Roman church itself for fasting on this day, and orders them to correct their practice. The words of the canon[35] are remarkable: Forasmuch as we understand, that in the city of Rome the sabbath in Lent is kept as a fast, contrary to the rule and custom of the church; it seemed good to the holy synod, that in the Roman church also the ancient canon should be revived and enforced, which says, If any clergyman be found to fast on the Lord's day, or on the sabbath, one only excepted, let him be deposed; if a layman, let him be excommunicated. From whence we may observe, that this custom of celebrating the sabbath as a festival, was constantly and inviolably maintained in the Greek church without any variation.

Sect. 6. And why a fast in the Roman, and some other of the Latin churches.

And there are some learned men of the Roman communion, who think it was so originally in the Latin church also. Albaspinæus[36] is so clearly of this opinion, that he thinks the church of Rome herself at first observed the sabbath as a festival. And it appears plainly from Tertullian, who, writing against the orthodox in favour of the Montanists, says expressly, That both the catholics and the Montanists excepted the sabbath out of their fasts. The catholics, he says, kept no sabbath a fast,[37] except the great sabbath before Easter. And the Montanists, who observed twice in the year two weeks of *xerophagiæ*, or fasts upon dry meats only, yet never[38] fasted in them either on the sabbath or the Lord's day. So that it is next to impossible, that the sabbath should have been a fast in the Roman church at this time, and yet not have been discerned by so acute a man as Tertullian, when it was so much for his cause in this dispute to have taken notice of it. However, it is certain, that not long after in the Roman, and some other of the Latin churches, a change was made; but then the very manner of the change sufficiently discovers the novelty of it. The council of Eliberis,[39] which first introduced the Saturday fast into Spain, plainly intimates that it was not observed there before, till they first introduced it, and that most probably from the example of the Roman church, where it had been settled a little before. St. Austin[40] long after this observes, That only the Roman and some of the Western churches, not all of them, kept the sabbath a fast; and he notes more particularly in Africa how they were divided[41] in their practice; for in the churches of the same province, and sometimes among the people of the same church, it was very common for some to dine, and some to fast on the sabbath. But at Milan, which was a much nearer neighbour to Rome, the ancient custom still continued of keeping Saturday always a festival. So that even in Lent, as St. Ambrose himself assures us,[42] not only the Lord's day, but every sabbath, except the great sabbath before Easter, were observed as festivals, and days of relaxation. And for this reason, as the author of his Life tells us, he was used to dine upon Saturday as well as the Lord's day. Which is often noted also by St. Austin[43] in answering a scruple, which perplexed his mother, Monicha, and some others, concerning the observation of this day, when they could not well account for the different practices of different churches, some of which kept it as a fast, and others as a festival. To satisfy their doubts, he told them, That in all things of this nature, where the Scripture had determined nothing positively one way or other, the custom of the people of God, and the rules of our forefathers, were to be taken for a law; and to dispute about such things, and condemn the practice of one church from the contrary custom of another, was to raise endless debates, and lose charity in the heat of contention. He added, That for the sake of his mother, Monicha, he once went to consult St. Ambrose upon this particular question, who told him, he could give no better advice in the case, than to do as he himself did; For when I go to Rome, said he, I fast on the Saturday, as they do at Rome; when I am here, I do not fast. So likewise you, whatever church you come to, observe the custom of the place, if you would neither give offence to others, nor take offence from them. With this answer, he says, he satisfied his mother, and ever after looked upon it as an oracle sent from heaven. Nothing can be plainer now, than that the Saturday fast was not received in all the churches of the West, since even at Milan it always continued to be a festival. And even those churches,

[33] Coteler. in Constitut. lib. 5. cap. 15.

[34] Combefis, Histor. Monothelit. p. 461.

[35] Conc. Trull. can. 55. al. 56.

[36] Albasp. Observat. lib. 1. cap. 13.

[37] Tertul. de Jejun. cap. 14. Quanquam vos etiam sabbatum, si quando continuatis, nunquam nisi in Pascha jejunandum, secundum rationem alibi redditam.

[38] Ibid. cap. 15. Duas in anno hebdomadas xerophagiarum, nec totas, exceptis scilicet sabbatis et Dominicis, offerimus Deo.

[39] Conc. Eliber. can. 26. Errorem placuit corrigi, ut omni sabbati die jejuniorum superpositionem celebremus. Albasp. in loc. Superpositiones, id est, imponere jejunia, quæ solita non essent observari. Vid. Conc. Agathense, can. 12.

[40] Aug. Ep. 86. ad Casulanum. Alii propter humilitatem mortis Domini jejunare mallent, sicut Romana et nonnullæ Occidentis ecclesiæ.

[41] Ibid. p. 149. Contingit maxime in Africa, ut una ecclesia, vel unius regionis ecclesiæ, alios habeant sabbato prandentes, alios jejunantes.

[42] Ambros. de Elia et Jejunio, cap. 10.

[43] Aug. Ep. 86. ad Casulan. Ep. 118. ad Januar.

which turned it into a fast, could not agree about the reason and original of it. Some said it was instituted by St. Peter at Rome upon a particular occasion; for when he was to contend[44] with Simon Magus on the Lord's day, for the danger of the great temptation he held a fast with the church at Rome the day before, and having obtained a prosperous and glorious success thereby, he continued the same custom, and some of the Western churches followed his example. But many among the Romans themselves rejected this as a mere fiction, even in St. Austin's time, though others continued still in the belief of it, as appears from what is said in Cassian,[45] and some later writers, about this fast in the Roman church. Pope Innocent[46] gives another reason for it, because on this day our Saviour lay buried in the grave, and the apostles were in deep sorrow for their Master, and hid themselves for fear of the Jews. Which is the usual reason now assigned by the learned writers of the present Roman church, Baronius,[47] Bellarmine, Combefis,[48] and others. Yet this was only a conjecture of Pope Innocent, which may serve for a reason why the Roman church might turn the Saturday into a fast before his time, but does not prove that to have been the original practice. Socrates[49] makes the Roman church to vary once more in this matter; for he says, in his time they did not fast on Saturdays at Rome even in Lent, but only five days in the week: and Valesius[50] and Menardus go further, and assert that in the time of Pope Leo they kept but three days in the week fasting in Lent at Rome; for which they allege the words of Pope Leo himself in one of his Lent sermons: On the second and fourth and sixth day[51] of the week, that is, Monday, Wednesday, and Friday, let us fast; and on the sabbath celebrate our vigil at St. Peter's church. But since Mr. Quesnel[52] and Pagi[53] have showed this passage to be foisted into Leo's sermon by some later hand, from the authority of several manuscripts that want it; and since it is possible Socrates, being a Greek writer, might sometimes mistake the Roman customs; we will charge the Romans with no more alterations in this matter, because the council of Trullo[54] and all the modern Greeks rather accuse them for keeping Saturday a fast, when all other churches kept it a festival. It is sufficient to have showed, that both the Greek and Latin church originally agreed in the same practice, observing the sabbath together with the Lord's day as weekly festivals, and that even in Lent, the great sabbath before Easter only excepted.

CHAPTER IV.

OF THE FESTIVAL OF CHRIST'S NATIVITY AND EPIPHANY.

Sect. 1. The nativity of Christ anciently by some said to be in May.

Hitherto we have considered the weekly festivals of the ancient church, and now we are to speak of those that were annual, or only celebrated once a year, such as the festivals of our Saviour's Nativity and Epiphany, and Easter, and Pentecost, and Ascension, and the anniversary commemorations of the apostles and martyrs. The nativity of our Saviour was not anciently fixed to the same day by all churches, though Baronius[1] and other writers commonly assert, That both in the Greek and Latin churches it was always observed on the twenty-fifth of December. Which is a very great mistake in learned men. For, not to mention what Clemens Alexandrinus[2] says of the Basilidian heretics, that they asserted that Christ was born on the twenty-fourth or twenty-fifth of the month which the Egyptians call *Pharmuthi*, that is, April; he says a more remarkable thing of some others, who were more curious about the year and the day of Christ's nativity, which they said[3] was in the twenty-eighth year of Augustus Cæsar, and the twenty-fifth day of the month *Pachon;* which though Pamelius artfully[4] calls December, to serve the common hypothesis, and impose upon his reader, yet nothing is more certain than that it signifies the month of May, as Mr. Basnage[5] has at large demonstrated out of Epiphanius and Theo-

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[44] Aug. Ep. 86. ad Casulan. p. 146. Est quidem et hæc opinio plurimorum, quamvis eam esse falsam perhibeant plerique Romani, quod apostolus Petrus cum Simone Mago die Dominico certaturus, propter ipsum magnæ tentationis periculum, pridie cum ejusdem urbis ecclesia jejunaverit, et consequuto tam prospero gloriosoque successu, eundem morem tenuerit, eumque imitatæ sunt nonnullæ Occidentis ecclesiæ.

[45] Cassian. Institut. lib. 3. cap. 10. Anonymus de Francis et reliquis Latinis, ap. Combefis, Hist. Monothelit. p. 429.

[46] Innoc. Ep. 1. ad Decentium, cap. 4. Si sexta feria propter passionem Domini jejunamus, sabbatum prætermittere non debemus, quod inter tristitiam atque lætitiam temporis istius (Paschatis) videtur inclusum. Nam utique constat, apostolos biduo isto in mærore fuisse, et propter metum Judæorum se occuluisse.

[47] Baron. an. 57. n. 207. Bellarmin. lib. 2. de Bonis Oper. cap. 18. t. 4.

[48] Combefis, ubi supra.

[49] Socrat. lib. 5. cap. 22.

[50] Vales. in loc. Menard. in Sacramentar. Gregorii, cited by Pagi.

[51] Leo, Serm. 4. de Quadragesima. Secunda igitur et quarta et sexta feria jejunemus: sabbato autem apud B. Petrum apostolum vigilias celebremus.

[52] Quesnel. Dissert. 6. de Jejunio Sabbati, &c.

[53] Pagi, Critic. in Baron. an. 57. n. 2.

[54] Conc. Trull. can. 55.

[1] Baron. Apparat. n. 121.

[2] Clem. Strom. 1. p. 408.

[3] Ibid. p. 407.

[4] Pamel. Not. in Tertull. contra Judæos, cap. 8. n. 78.

[5] Basnag. Critic. in Baron. p. 216.

philus Alexandrinus, who usually follow the Egyptian calendar, where *Pachon* answers to our May, as every one knows, who has any understanding in the several styles by which the ancient writers made their chronological computations.

Sect. 2. By others fixed to the day of Epiphany or sixth of January.

But what is more considerable in this matter is, that the greatest part of the Eastern church, for three or four of the first ages, kept the feast of Christ's nativity on the same day which is now called Epiphany, or the sixth of January, which denotes Christ's manifestation to the world in four several respects, which at first were all commemorated upon this day: viz. 1. By his nativity or incarnation, which was the appearance of God manifested in the flesh. 2. By the appearance of the star, which guided the wise men unto Christ at his birth, and was the Epiphany or manifestation of him to the Gentiles. 3. By the glorious appearance that was made at his baptism, when the heavens were opened, and the Holy Ghost descended in a bodily shape like a dove, and lighted upon him, and a voice came from heaven, saying, "This is my beloved Son, in whom I am well pleased." 4. By the appearance or manifestation of his Divinity, when by his first miracle he turned the water into wine at the marriage in Cana of Galilee. That this day was kept as our Saviour's birthday for several ages by the churches of Egypt, Jerusalem, Antioch, Cyprus, and other churches of the East, is so evident from good authorities, that among learned men[6] it is now a thing beyond all dispute. Cassian[7] says expressly, That in his time all the Egyptian provinces, under the general name of Epiphany, understood as well the nativity of Christ as his baptism; and therefore they did not commemorate those two mysteries upon two distinct days, as was usual in the Western provinces, but celebrated both of them together upon that one day's festival. And Gennadius[8] mentions one Timothy, a bishop, who composed a book concerning the nativity of the Lord, which he supposed to be on the day of Epiphany. Cotelerius[9] not improbably conjectures, that this was no other than Timothy, bishop of Alexandria, though Dr. Cave[10] speaks of him as a later writer. But before the time of the council of Ephesus, anno 431, the Egyptians had altered the day of Christ's nativity, and fixed it to the twenty-ninth day of their month *Chœac*, which is the twenty-fifth of December; as appears from the homily of Paulus Emisenus[11] spoken before Cyril of Alexandria, and related in the Acts of that council. It was not long before this, that the churches of Antioch and Syria came into the Western observation. For Chrysostom,[12] in one of his homilies to the people of Antioch, tells them, that ten years were not yet past, since they came to the true knowledge of the day of Christ's birth, which they kept before on Epiphany, till the Western church gave them better information. And from that time the Nativity and Epiphany were distinct festivals, as appears from other homilies[13] of this writer, where he speaks distinctly of them as two days, which had been thought one and the same before. Epiphanius, who was bishop of Salamis or Constantia, the metropolis of Cyprus, often speaks of Christ's nativity, and always follows the Eastern calculation, fixing it to the same day with Epiphany in the month of January. In one place[14] he says, It is not lawful to fast on the day of Epiphany, on which day the Lord was born in the flesh. In another,[15] he takes a great deal of pains to make his reader understand that Christ was born in January, that is, says he, on the eighth of the *ides* of January, which is the fifth of January according to the Romans,[16] and the eleventh of *Tybi* according to the Egyptians, and the sixth of *Audinæus* according to the Syro-Macedonians, and the fifth of the fifth month according to the Cypriots or Salaminians, and the fourteenth of *Julus* according to the Paphians, and the twenty-first of *Aleon* according to the Arabians, and the thirteenth of *Atarta* according to the Cappadocians, and the thirteenth of *Tibeth* according to the Hebrews, and the sixth of *Memacterion* according to the Athenians. Nothing could be more particular in fixing the day of Christ's nativity to that of Epiphany, or Epiphany to the fifth or sixth of January, than this so minute account of Epiphanius. Which is confirmed by St. Jerom, who, though he differed from Epiphanius as to the day of Christ's nativity, yet he intimates,[17] there were some who still believed that Christ's nativity was upon the Epiphany,

[6] Vide Coteler. in Constit. Apost. lib. 5. cap. 13.

[7] Cassian. Collat. 10. cap. 2. Epiphaniorum diem provinciæ illius sacerdotes, vel Dominici baptismi, vel secundum carnem nativitatis esse definiunt; et idcirco utriusque sacramenti solennitatem non bifarie, ut in Occiduis provinciis, sed sub una diei hujus festivitate concelebrant.

[8] Gennad. de Scriptor. cap. 58. Timotheus episcopus composuit librum de nativitate Domini secundum carnem, quam credit in Theophania factam.

[9] Coteler. Not. in Constitut. lib. 5. cap. 13.

[10] Cave, Hist. Liter. t. 1. p. 304.

[11] Paul. Emisen. Homil. in Actis Conc. Ephes. part. 3. cap. 31. Conc. t. 3. p. 1096.

[12] Chrys. Hom. 31. de Natali Christi, t. 5. p. 466.

[13] Chrys. Hom. 24. de Bapt. Christi, t. 1. p. 311.

[14] Epiphan. Expos. Fid. 22.

[15] Ibid. Hær. 51. Alogor. n. 24. Vid. n. 16.

[16] Some think this should be written the sixth of January, because the eighth of the *ides* of January is the sixth of January in the Roman calendar: but St. Jerom also places Epiphany upon the fifth of January, Com. in Ezek. i. p. 459. And the Asiatics did so likewise. Vid. Usser. de Anno solari Macedonum et Asianorum, lib. 2.

[17] Hieron. Com. in Ezek. i. p. 459. Apud Orientales October erat primus mensis, et Januarius quartus. Quintam autem diem mensis adjungit, ut significet baptisma, in quo aperti

which was the fifth of January, which the prophet Ezekiel called the fifth day of the fourth month, reckoning the first month from October, when the tithes were carried to the temple after the harvest and vintage were gathered in, according to the custom of the Oriental nations. The author of the homily upon the Epiphany, among the works of Origen,[18] says the same, that there were different opinions and traditions in the world about it; some said he was born upon that day; others said it was only the day of his baptism. Pagi[19] adds Clemens Alexandrinus and Eusebius to the number of those who believed the nativity of Christ to be on the Epiphany, or sixth of January; and, considering where and when they lived, it is very probable they did so, though he cites no authority out of them; for not only the Alexandrians, but the churches of Jerusalem and Palestine, where Eusebius lived, observed the nativity of Christ on the same day with Epiphany for several ages, and pretended the authority of an epistle of St. James for their practice, till Juvenal, bishop of Jerusalem, upon better information, reduced it to the twenty-fifth of December, as Cotelerius shows at large out of Basilius Cilix, Joannes Nicænus, and a homily under the name of St. Chrysostom, and other writers.[20]

Sect. 3. In the Latin church always observed on the 25th of December.

Thus stood the case in the Eastern church for several ages; in those of the West it was generally observed, as now it is, a distinct festival from Epiphany, on the twenty-fifth of December. For so, St. Austin says,[21] the current tradition was, that Christ was born on the eighth of the calends of January, that is, on the twenty-fifth of December. And both Cassian[22] and St. Jerom[23] say, the Nativity and Epiphany were kept on different days in all the Western churches. And both these were indifferently called *Theophania, et Epiphania, et prima et secunda nativitas*, the Epiphany, or manifestation of God, and his first and second nativity: that being the first, whereon he was born in the flesh; and that his second nativity, or Epiphany, whereon he was baptized, and manifested by a star to the Gentiles, as the reader may find largely demonstrated by Cotelerius[24] and Suicerus,[25] out of Gregory Nazianzen, Ambrose, Basil, Theodorus Studita, and several other writers.

Sect. 4. The original of this festival derived from the apostolical age by some ancient writers.

Now, the original of this festival is by many learned men carried as high as the age of the apostles. Dr. Cave[26] says, the first footsteps he can find of it are in the second century, though he doubts not but that it might be celebrated before. His authority is Theophilus, bishop of Cæsarea, who lived about the reign of the emperor Commodus, anno 192. But he quotes no book of Theophilus, therefore we are left to conjecture that he meant his Paschal epistle, mentioned by Eusebius and St. Jerom, out of which Hospinian[27] before had alleged these words, importing, that the French observed the nativity of Christ on the twenty-fifth of December: For they, says Hospinian, argued thus for the observation of the Paschal festival: *Sicut Domini natalem, quocunque die 8. Kalend. Januarii venerit, ita et 8. Kalend. Aprilis, quando resurrectio accidit, Christi debemus Pascha celebrare:* As we celebrate the nativity of Christ on the eighth of the calends of January, (that is, the twenty-fifth of December,) whatever day of the week that happens to fall upon; so we ought to keep the Paschal feast on the eighth of the calends of April, (that is, the twenty-fifth of March,) because the resurrection of Christ happened upon this day. But still I am at a loss to find these words in Theophilus. For Bede, who relates the letter, has no more than these words in his synodical epistle:[28] *Galli quacunque die octava calendarum Aprilium fuisset, quando Christi resurrectio tradebatur, semper Pascha celebrabant.* But there is no mention made at all of the nativity of Christ throughout the whole epistle, which seems to be spurious also, and of no credit; certain enough it is not that which is mentioned by Eusebius and St. Jerom: so that I lay no stress upon this authority, as being neither full to the point, nor authentic. Hospinian and Dr. Cave allege further, for its antiquity, that sad story, which is related by Nicephorus[29] and Baronius,[30] out of the ancient Martyrologies, where it is said, That when the persecution raged under Diocletian at Nicomedia, among other acts of his barbarous cruelty, he, finding multitudes of Christians, young and old, met together in the church upon the day of Christ's nativity, to celebrate that festival, commanded the church doors to be shut up, and fire to be put to it,

sunt Christo cœli, et Epiphaniorum dies hucusque venerabilis est; non, ut quidam putant, natalis in carne. Tunc enim absconditus est, et non apparuit: quod huic tempori congruit, quando dictum est, Hic est Filius meus dilectus, in quo mihi complacui.

[18] Orig. Hom. 8. de Diversis, t. 2. p. 446. Sive hodie natus est Dominus Jesus, sive hodie baptizatus, diversa quippe opinio fertur in mundo.

[19] Pagi, Apparat. Chronol. ad Baron. n. 95.

[20] Coteler. Not. in Constitut. lib. 5. cap. 13.

[21] Aug. de Trin. lib. 4. cap. 5. Natus autem traditur octavo kalendas Januarias.

[22] Cassian. Collat. 10. cap. 2.

[23] Hieron. in Ezek. cap. i. See also Constit. Apost. lib. 5. cap. 13. lib. 8. cap. 33. Opus Imperfect. sub nomine Chrysost. ad Matt. xxiv. 22.

[24] Coteler. ubi supra.

[25] Suicer. Thesaur. Eccl. voce Ἐπιφάνεια.

[26] Cave, Prim. Christ. part 1. chap. 7. p. 194.

[27] Hospin. de Festis Christian. p. 110.

[28] De Ordinatione Feriarum Paschalium per Theophilum Cæsariensem ac reliquorum Episcoporum Synodum, ap. Bedam de Æquinoctio Vernali, t. 3. p. 232. Habetur etiam ap. Bucherium Com. in Canon. Paschal. Victorii, et ap. Labbe, Conc. t. 1. p. 596.

[29] Niceph. lib. 7. cap. 6.

[30] Baron. an. 301. p. 41.

which in a short time reduced them and the church to ashes. This is probable enough, because we have the like instances of barbarity committed upon them in other places on the Lord's day, as has been related before out of Lactantius[31] and Eusebius. But it is more material, that Chrysostom says[32] this day was of great antiquity and of long continuance, being famous and renowned in the church from the beginning, far and wide, from Thrace as far as Gades in Spain. It is certain it was observed religiously in the time of Gregory Nazianzen and St. Basil; for they have both sermons upon the occasion: and Ammianus Marcellinus[33] says, Julian, in the time of Constantius, pretending to be a Christian, when in his heart he was a heathen, and had secretly revolted, to conceal his apostacy, (which was known only to a few of his confidants,) went with the Christians to church, and performed the solemn worship of God with them, on the festival which they call Epiphany, and celebrate in the month of January. Zonaras, in telling the same story, says it was on the nativity of Christ: which makes some conclude, that the Nativity and Epiphany were still in France the same festival: but considering that France was one of the Western provinces, where these festivals were always kept apart, it is more probable that Zonaras was mistaken in the day: however, we may safely conclude, that at this time both the Nativity and the Epiphany were kept as festivals in France; and that is enough, so far as we are concerned, to ascertain the antiquity of their observation.

Sect. 5. This festival observed with the same religious veneration as the Lord's day.

As to the manner of keeping this festival, we may observe, they did it with the greatest veneration. For they always speak of it in the highest terms, as the principal festival of Christians, from which all others took their original. Chrysostom[34] styles it the most venerable and tremendous of all festivals, and the metropolis or mother of all festivals: adding, that from this both the *Theophania*, (so he styles Epiphany,) and the holy Paschal feast, and the Assumption or Ascension, and Pentecost, took their original. For if Christ had not been born according to the flesh, he had not been baptized, which is the *Theophania* or Epiphany; neither had he been crucified, which is the Paschal festival; neither had he sent the Holy Ghost, which is our Pentecost. But we do not give this festival the preference merely upon this account, but because the thing that was done upon this day, was more tremendous than all others. For that Christ should die, when he was a man, was a thing of natural consequence: but that, when he was God, he should be willing to be made man, and condescend to humble himself beyond all imagination and conception, this is indeed wonderful and astonishing in the highest degree. In admiration of this St. Paul, as it were in a rapture, says, "Without controversy great is the mystery of godliness: God was manifested in the flesh." For this reason chiefly I love and embrace this day, and propound it to you, that I may make you partakers of the same inducement to love. I therefore pray and beseech you, come with all diligence and alacrity, every man first purging his own house, to see our Lord wrapped in swaddling-clothes and lying in a manger. A tremendous and wonderful sight indeed! Thus the holy father invites his auditory, five days beforehand, to celebrate the nativity of Christ. And we may observe, that the day was kept with the same veneration and religious solemnity as the Lord's day. For they had always sermons on this day, of which there are many instances in Chrysostom, Nazianzen, Basil, Ambrose, Austin, Leo, Chrysologus, and many others. Neither did they let this day ever pass without a solemn communion. For Chrysostom in this very place invites his people to the holy table, telling them, that if they came with faith, they might see Christ lying in the manger: for the holy table supplied the place of the manger; the body of the Lord was laid upon the holy table, not, as before, wrapped in swaddling-clothes, but invested on every side with the Holy Spirit. And that the solemnity might be more universally observed, liberty was granted on this day to servants to rest from their ordinary labours, as on the sabbath and the Lord's day. This is particularly mentioned[35] by the author of the Apostolical Constitutions: Let servants rest from their labour on the day of Christ's nativity, because on this day an unexpected blessing was given unto men, in that the Word of God, Jesus Christ, was born of the Virgin Mary for the salvation of the world. And all fasting was as strictly prohibited on this festival as on the Lord's day: and no one, without suspicion of some impious heresy, could go against this rule, as appears from what Pope Leo[36] says of the Priscillianists, that they dishonoured the day of Christ's nativity and the Lord's day by fasting, which they pretended they did only for the exercise of devotion in an ascetic life, but in reality it was to affront the days of

[31] Lact. lib. 5. cap. 11. Euseb. lib. 8. cap. 11. See chap. 2. sect. 8.

[32] Chrys. Hom. 31. de Bapt. Christi, t. 5. p. 467.

[33] Ammian. lib. 21. p. 195. Ut hæc interim celarentur, feriarum die, quem celebrantes mense Januario Christiani Epiphania dictitant, progressus in eorum ecclesiam solenniter numine orato discessit.

[34] Chrys. Hom. 31. de Philogonio, t. 1. p. 399.

[35] Constit. lib. 8. cap. 33.

[36] Leo, Ep. 93. ad Turribium, cap. 4. Natalem Christi non vere isti honorant, sed honorare se simulant, jejunantes eodem die, sicut die Dominico, &c. Vid. Conc. Bracaren. 1. can. 4.

his nativity and resurrection, because with Cerdon and Marcion, and the Manichees, they neither believed the truth of our Saviour's incarnation, nor his resurrection. Therefore, in opposition to these and such like heresies, the church was always very jealous of any who pretended to make a fast of the Nativity of Christ.

Finally, to show all possible honour to this day, the church obliged all persons to frequent religious assemblies in the city churches, and not go to any of the lesser churches in the country, except some necessity of sickness or infirmity compelled them so to do.[37] And the laws of the state prohibited all public games and shows on this day, as on the Lord's day. For though at first the prohibition only extended to the Lord's day, yet Theodosius junior[38] by a new law restrained them on the Lord's day, and Epiphany, and the Paschal festival, and the fifty days of Pentecost, because at these times the minds of Christians ought to be wholly employed in the worship and service of God. Some also think[39] the very design of appointing the feast of Christ's Nativity and Epiphany at this season of the year, was chiefly to oppose the vanities and excesses which the heathen indulged themselves in, upon their Saturnalia and calends of January at this very time of the year. Nazianzen's exhortation[40] to his people on the Nativity of Christ seems directly intended against them, when he thus endeavours to guard his auditory from running into the same abuses: Let us celebrate this festival, not after the way of the world, but in a divine and celestial manner; not minding our own things, but the things of the Lord; not the things that tend to make us sick and infirm, but those things which will heal and cure us. Let us not crown our doors with garlands, nor exercise ourselves in dances; let us not adorn our streets, nor feed our eyes, nor gratify our ears with music, nor any of our senses, touching, tasting, smelling, with any of those things that lead the way to vice, and are the inlets of sin. Let us not effeminately adorn ourselves with soft clothing, nor jewels, nor gold, nor artificial colours invented to destroy the Divine image in us: let us not indulge rioting and drunkenness, which are frequently attended with chambering and wantonness: let us not set up our lofty canopies or tables, providing delicacies for the belly; nor be enamoured with the fragrancy of wines, or niceties of cookery, and precious ointments: let not sea and land present us with their precious dung, (for that is the best name I can give their delights,) nor let any of us strive to outdo one another in luxury and intemperance. But let us leave these things to the heathen, and to their heathenish pomps and festivals, who give the name of gods to those who delight in the smell of sacrifices, and agreeably worship their deities with the belly, being wicked makers of wicked devils, and as wicked priests and worshippers of them. But let us who worship the Word of God, place our delights in the Divine law, and such discourses as are proper and agreeable to the present festival.

Sect. 6. Of Epiphany as a distinct festival.

As to Epiphany, they who observed it as a distinct festival from the Nativity, did it chiefly upon the account of our Saviour's baptism, and the appearing of the star which conducted the wise men of the East to come and worship our Saviour. To which some added two other reasons, that of our Saviour's first miracle wrought at Cana in Galilee, when he turned the water into wine; and that other miracle of his feeding five thousand men with five loaves. All which are put together in one of the sermons which go under the name of St. Austin upon this day. On this day, says he,[41] we celebrate the mystery of God's manifesting himself by his miracles in human nature; either because on this day the star in heaven gave notice of his birth; or because he turned water into wine at the marriage feast at Cana in Galilee; or because he consecrated water for the reparation of mankind by his baptism in the river Jordan; or because with the five loaves he fed five thousand men. For each of these contain the mysteries and joys of our salvation. Petrus Chrysologus[42] and Eucherius Lugdunensis[43] mention the three first reasons, but not the last. Pope Leo[44] has eight sermons upon this festival, in which he insists upon no other reason but the manifestation of Christ's birth to the wise men by the appearance of the star. St. Jerom, on the other hand,[45] makes it to be celebrated chiefly in commemoration

[37] Conc. Aurelian. 1. can. 27. Ut nulli civium Paschæ, Natalis, vel Quadragesimæ solennia in villa liceat celebrare, nisi quem infirmitas probabitur tenuisse.

[38] Cod. Theod. lib. 15. Tit. 5. de Spectaculis, Leg. 5. Dominico, et Natali, atque Epiphaniorum Christi, Paschæ etiam et Quinquagesimæ diebus——omni theatrorum atque circensium voluptate per universas urbes, earundem populis denegata, totæ Christianorum ac fidelium mentes Dei cultibus occupentur, &c.

[39] Hospin. de Festis Christian. p. 111.

[40] Naz. Orat. 38. p. 614. in Theophaniam sive Natalem Christi.

[41] Aug Serm. 29. de Tempore. Hodie illud sacramentum colimus, quo se in homine Deus virtutibus declaravit; pro eo quod in hac die sive quod in cœlo stella ortus sui nuncium præbuit; sive quod in Cana Galilææ in convivio nuptiali aquam in vinum convertit; sive quod in Jordanis undis aquas ad reparationem humani generis suo baptismo consecravit; sive quod de quinque panibus quinque millia hominum satiavit. In quolibet horum salutis nostræ mysteria continentur et gaudia.

[42] Chrysolog. Serm. 157. de Epiphania et Magis.

[43] Eucher. Hom. in Vigil. S. Andreæ.

[44] Leo, Serm. in Epiphan. p. 25, &c.

[45] Hieron. in Ezek. i. p. 459.

of our Saviour's baptism, and the manifestation of him to the world by the voice that came from heaven, saying, "Thou art my beloved Son, in whom I am well pleased." And the Greek writers commonly insist upon this reason. Why, says Chrysostom,[46] is not the day on which Christ was born called Epiphany, but the day on which he was baptized? Because he was not manifested to all when he was born, but when he was baptized. For to the day of his baptism he was generally unknown; as appears from those words of John the Baptist, "There standeth one among you, whom ye know not." And what wonder that others should not know him, when the Baptist himself knew him not before that day? "For I knew him not," says he, "but he that sent me to baptize with water, the same said unto me, Upon whom thou shalt see the Spirit descending and remaining on him, the same is he that baptizeth with the Holy Ghost." Gregory Nazianzen[47] assigns the same reason for the observation of this festival: This holy day of lights, to which we are come, and which we this day celebrate as a festival, had its original from the baptism of Christ, the true Light, "that lighteth every man that cometh into the world." In like manner Gregory Nyssen[48] entitles his sermon on the baptism of Christ, εἰς τὴν ἡμέραν τῶν φώτων, κ.τ.λ., a discourse on the day of lights, on which our Lord was baptized. And Asterius Amasenus, speaking of the chief Christian festivals,[49] says, We celebrate the Nativity, because at this time God manifested his Divinity to us in the flesh. We celebrate the feast of light, (φῶτα πανήγυριν,) because by the remission of our sins (in baptism) we are brought as it were out of the dark prison of our former life, to a life of light and virtue.

Sect. 7. Why this day called by some the second Epiphany, and *dies luminum*, the day of lights.

For baptism being generally called φῶς and φώτισμα, light and illumination, from the great and admirable effects consequent to it; this day, being the supposed day of our Saviour's baptism, was thereupon styled ἡμέρα φώτων, or ἅγια φῶτα, the day of lights, or illumination, or baptism. As appears not only from the forementioned passages of Gregory Nazianzen and Nyssen, but several other Greek writers noted by Suicerus,[50] who justly reproves Xylander and Pamelius for interpreting this day of lights, Candlemas-day, because now it is usual in the church of Rome to consecrate their wax candles on this day, which is otherwise called the Purification of the Virgin Mary; whereas there was no such festival in use in the church in the time of Gregory Nazianzen and Nyssen, nor many years after them, till the reign of Justinian, when it was first instituted by the Greek church under the name of *Hypapante*. And therefore when Nazianzen[51] in another place brings in some giving this reason why they deferred their baptism; one saying, μένω τὰ φῶτα, I stay till the feast of lights come; another, he had a greater respect for Easter; and a third, that he waited till the time of Pentecost: it is plain, the feast of lights cannot signify the Purification of the Virgin Mary, (which was no solemn time of baptism,) but Epiphany, on which the Greek church allowed persons to be baptized, as one of the three solemn times of baptism, and that in regard to our Saviour's baptism, (which they called his second Nativity,[52] or second Epiphany,) when his Divinity was more clearly manifested by the voice which came from heaven, saying, "Thou art my beloved Son, in whom I am well pleased."

Sect. 8. Celebrated as all other great festivals, and in one respect more noted, as being in the Greek church one of the three solemn times of baptism.

So that we may observe, that in the Greek church in one respect it was more taken notice of than even the Nativity itself; being allowed as one of the three solemn times of baptism, which the Nativity was not. In the Latin church indeed it wanted this privilege. For, as I have showed elsewhere,[53] the Roman, French, and Spanish churches for many ages would allow of no other solemn times of baptism but only Easter and Pentecost, except in case of sickness and extremity. But the Greek and African churches made Epiphany also a day of baptism, as appears not only out of the forementioned place of Nazianzen, but Victor Uticensis,[54] and Joannes Moschus,[55] and the ancient ritual, called Typicum Sabæ. To which we may add what Chrysostom says,[56] That in this solemnity, in memory of our Saviour's baptism, by which he sanctified the nature of water, they were used at midnight to carry home water from the church, and lay it up, where it would remain as fresh and uncorrupt for one, two, or three years, as if it were immediately drawn out of any fountain. And Fronto Ducæus[57] observes the like custom in the Syriac calendar, published by Genebrard, upon this very day. Which argues it to be a peculiar rite of the Eastern church. As to other things, the observation of this day was after the same manner as that of the Nativity and other great festivals. For they had sermons and the communion on this day, and servants had liberty to rest from their

[46] Chrys. Hom. 24. de Bapt. Christi, t. 1. p. 311.
[47] Naz. Orat. 39. t. 1. p. 624.
[48] Nyssen. Orat. de Bapt. Christi, t. 3. p. 366.
[49] Aster. Hom. 4. in Festum Kalendar. ap. Combefis, Auctar. t. 1. p. 67.
[50] Suicer. Thesaur. Eccles. t. 2. p. 1487.
[51] Naz. 40. de Bapt. p. 654.
[52] Vid. Coteler. Not. in Constit. Apost. lib. 5. cap. 13. So Ruffin entitles Nazianzen's 39th Oration, De Secundis Epiphaniis.
[53] Book XI. chap. 6. sect. 7.
[54] Victor. de Persecut. Vandal. lib. 2.
[55] Mosch. Pratum Spirit. cap. 214.
[56] Chrys. Hom. 24. de Bapt. Christi, t. 1. p. 311.
[57] Fronto, Not. in loc. p. 65.

bodily labour to attend the religious service of the day. In regard to which usage the author of the Constitutions[58] gives this direction: Let servants rest from their labour on Epiphany, because on that day the Divinity of Christ was declared, when the Father gave testimony to him at his baptism, and the Holy Ghost in the shape of a dove showed him to those that stood by, and heard the testimony that was given him. And though at first this day was not exempt from juridical acts and prosecutions at law; nor were the public games and shows forbidden for some time to be exhibited thereon; yet at length Theodosius junior[59] gave it an honourable place among those days, on which the public games should not be allowed; forasmuch as men ought to put a distinction between days of supplication and days of pleasure. And Justinian, reciting one of the laws of Theodosius the Great,[60] makes both the Nativity and Epiphany days of vacation from all pleadings at law, as well as from popular pleasures. And so it is in the laws of the Visigoths,[61] published out of the body of the Roman laws by Reciswindus and other Gothic kings, and the old Gothic interpreter[62] of the laws in the Theodosian Code. From whence we may conclude, that this was become the standing rule and custom throughout both the Roman and the Visigoth dominions, to keep this festival of Epiphany with great veneration; neither allowing the courts to be open on this day for law, nor the theatre for pleasure.

Sect. 9. Notice usually given on Epiphany concerning the time of Easter in the ensuing year.

I have but one thing more to note, as it were by the way, concerning this day: that they to whom the care of the Paschal cycle, or rule for finding out Easter, was committed, were obliged on or about the time of Epiphany to give notice what time Easter, and Lent, and all the movable solemnities, were to be kept the ensuing year. The letters sent from the metropolitan to the provincial bishops upon this occasion, are commonly called *epistolæ Paschales* and *Heortasticæ*, Paschal and festival epistles, which are usually a short discourse upon some useful and important subject, closed with an intimation or notice of the day when Lent should begin, and of Easter-day and Whit Sunday. As those three Paschal epistles of Theophilus, bishop of Alexandria, which were translated by St. Jerom, and are now among St. Jerom's works, and in the Bibliotheca Patrum.[63] Concerning which, and the rest of the same kind, Cassian says, It was an ancient[64] custom in Egypt for the bishop of Alexandria, as soon as Epiphany was past, to send his circular letters to all the churches and monasteries of Egypt, to signify to them the beginning of Lent and Easter-day. And there are some such of Dionysius, Athanasius, and Cyril, and Pope Innocent,[65] and Leo;[66] and some orders of councils,[67] that the primates of provinces should send their circular letters to give timely notice of these things to the several churches under their jurisdiction. Particularly the fourth council of Orleans, speaking of the time of keeping Easter uniformly by the Paschal *laterculus*, or table, made by Victorius, (Victor they call him,) say, The bishops of France shall every year on the day[68] of Epiphany give notice of the time when the festival is to be kept in their churches. And if any doubt arise about the time, they shall have recourse to their metropolitan, and he to the apostolical see for resolution. And this leads us to the consideration of the next great festival, which was that of Easter.

CHAPTER V.

OF EASTER, OR THE PASCHAL FESTIVAL.

Sect. 1. The Paschal solemnity anciently reckoned fifteen days, the whole week before, and the week after Easter Sunday.

IN speaking of the Paschal solemnity, I shall here only consider that part of it which was properly festival. For we are to know, the ancients commonly included fifteen days in the whole solemnity of the *Pasch*, that is, the week before Easter Sunday, and the week following it: the one of which was called *Pascha σταυρώσιμον*, the *Pasch* of the cross, and the other *Pascha ἀναστάσι-*

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[58] Constit. lib. 8. cap. 33. Vid. lib. 5. cap. 13.

[59] Cod. Theod. lib. 15. Tit. 5. de Spectac. Leg. 5.

[60] Cod. Just. lib. 3. Tit. 12. de Feriis, Leg. 6.

[61] Leges Visigoth. lib. 2. Tit. 1. Leg. 11.

[62] Cod. Theod. lib. 2. Tit. 8. de Feriis, in Interpretat. Legis 2. Nec non et dies Natalis Domini nostri, vel Epiphaniæ, sine forensi strepitu volumus celebrari.

[63] Bibl. Patr. t. 3. p. 79.

[64] Cassian. Collat. 10. cap. 2. Intra Ægypti regionem mos iste antiqua traditione servatur, ut peracto Epiphaniorum die—Epistolæ pontificis Alexandrini per universas dirigantur ecclesias, quibus initium Quadragesimæ et dies Paschæ non solum per civitates, sed etiam per universa monasteria significentur. Vid. Sozomen. lib. 8. cap. 11.

[65] Innoc. Ep. 11. Dionys. ap. Euseb. lib. 7. cap. 20. Athanas. Epist. Heortastic. Cyril. Serm. 30.

[66] Leo, Ep. 93. al. 95. ad Episcop. Gallos. See Cod. Afric. can. 136.

[67] Conc. Arelat. 1. can. 1. Conc. Carthag. 3. can. 1 et 41. Conc. Carthag. 5. can. 7.

[68] Conc. Aurelian. 4. can. 1. Placuit ut sanctum Pascha secundum laterculum Victoris ab omnibus sacerdotibus uno tempore celebretur. Quæ festivitas annis singulis ab episcopo Epiphaniarum die in ecclesiis denuncietur. De qua solennitate quoties aliquid dubitatur, inquisita vel agnita per metropolitanos a sede apostolica sacra constitutio teneatur. It. Conc. Antissiodor. can. 2. Ut omnes presbyteri ante Epiphaniam missos suos dirigant, qui eis de principio Quadragesimæ nuncient, et in ipsa Epiphania ad populum indicent.

μον, the *Pasch* of the resurrection. Suicerus[1] will furnish the learned reader with examples of both. The general name *Pascha* (which is of Hebrew extract from *Pesach*, which signifies the passover) will comprise both. For the Christian passover includes as well the passion as the resurrection of our Saviour, who is the true Paschal Lamb, or Passover, that was sacrificed for us. And therefore, though our English word, Easter, be generally used only to signify the resurrection, yet the ancient word, *Pascha*, was taken in a larger sense, to denote as well the *Pasch* of the crucifixion, as the *Pasch* of the resurrection. And for this reason, the ancients commonly speak of the *Pasch* as containing fifteen days in its solemnity, including the passion week, together with that of the resurrection. Thus in one of the laws of Theodosius,[2] where he decrees what days shall be days of vacation from all business of the law, he reckons into the number of them the holy days of the *Pasch*, seven going before, and seven following after. And Gothofred, in his learned commentary upon the place, says, Both Papianus in his body of laws[3] collected by him out of the Roman for the use of the Burgundians, and Anianus in his collection for the use of the Visigoths,[4] keep to the same phrase of fifteen Paschal days. To which we find also a plain reference made by St. Austin,[5] in a sermon preached by him on the *Dominica in albis*, or Sunday following Easter-day, wherein he thus addresses himself to his audience: The days of vacation are now over, and those of convening, exactions, and law-suits succeed in their room: take care, my brethren, how ye spend these days: from the vacation of the foregoing days, ye ought to learn meekness, not to meditate subtle devices; for some men rest on those days, only to plot wickedness, which they may practise when the festival days are over. We desire you may so live, as they that are to give account to God, not only of those fifteen days, but of their whole life. And Scaliger[6] mentions a law of Constantine, wherein the Paschal weeks, the one before, the other after the *Pasch*, are ordered to be days of vacation from all proceedings at law. But because the former of these Paschal weeks belongs to the Lent fast, we will consider it under that head, and here only speak of the Paschal solemnity as it was properly festival.

Sect. 2. Great disputes in the church concerning this festival. Some observing it on a fixed day every year.

Now, concerning this there were anciently very great disputes in the church; though all agreed in the observation of it in general, yet they differed very much as to the particular time when it was to be observed; some keeping it precisely on the same stated day every year; others on the fourteenth day of the first moon in the new year, whatever day of the week that happened to fall upon: others deferring it to the first Sunday after the first full moon; and those often differing in the Sunday on which they celebrated it, by the difference and variety of their calculations. Epiphanius says,[7] Some of the Quartadecimans in Cappadocia always kept their *Pasch* on the eighth of the calends of April, that is, the twenty-fifth of March, pretending certain information from the Acts of Pilate, that that was the day of our Saviour's Passion; yet other copies of those Acts said the sixteenth of the calends of April, that is, the seventeenth of March. The Christians of Gaul also, till the time of Pope Victor, if Bede may be credited,[8] kept their *Pasch* always on the eighth of the calends of April, that is, the twenty-fifth of March, taking that to have been the day of our Saviour's resurrection. Bede cites the authority of Theophilus, bishop of Cæsarea, and the synod held under him, for this: but considering that Irenæus, bishop of Lyons, who lived in the time of Pope Victor, says no such thing of the French churches, but the contrary, that they fixed their Easter to no certain day, but kept it as other Western churches did, on the Sunday following the fourteenth day of the moon, it is more likely that Bede was imposed upon by some spurious epistle of Theophilus, and false act of his synod, which charged the Gallican churches with what they were not really guilty of.

Sect. 3. Others observing it, with the Jews, on the fourteenth day of the moon, whatever day of the week that happened upon.

However, we are sure that in the second century there happened a great dispute between the Asiatic churches and the rest of the world, concerning this day. Pope Pius, who lived about the year 147, had made a decree, That the annual solemnity of the *Pasch* should be kept only on the Lord's day; and in confirmation of this he pretended, that Hermes, his brother, who was then an eminent teacher among them, had received instruction from an angel,[9] who commanded, that all

[1] Suicer. Thesaur. Eccles. t. 1. p. 304. et t. 2. p. 1014.

[2] Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 2. Sanctos quoque Paschæ dies, qui septeno vel præcedunt numero, vel sequuntur, in eadem observatione numeramus.

[3] Papian. lib. Responsor. Tit. 12. Paschalibus etiam quindecim diebus.

[4] Leg. Visigoth. lib. 2. Tit. 1. Leg. 11.

[5] Aug. Ser. 19. ex editis a Sirmondo, t. 10. p. 811. Peracti sunt dies feriati; succedent jam illi conventionum, exactionum, litigiorum, &c. Petimus vos, ut ita vivatis, tanquam qui Deo rationem reddituros vos sciatis de tota vita, non de solis istis quindecim diebus.

[6] Scaliger. de Emendat. Temp. p. 776. Τὰς Πασχαλίας δύο ἑβδομάδας ἀπράκτους τελεῖν· τὴν τε πρὸ τοῦ Πάσχα καὶ τὴν μετ' αὐτό.

[7] Epiphan. Hær. 50. Quartadeciman. n. 11.

[8] Bed. de Ratione Temporum, cap. 45. It. de Æquinoctio Vernali, t. 2. p. 232.

[9] Pii Ep. 1. Hermæ angelus Domini in habitu pastoris apparuit, et præcepit ei, ut Pascha die Dominico ab omnibus celebraretur.

men should keep the *Pasch* on the Lord's day. Yet, notwithstanding this, the Asiatics kept to their ancient custom, and Polycarp, bishop of Smyrna, came to Rome to confer with Anicetus upon it. They could come to no agreement upon the time; for Anicetus could not persuade Polycarp[10] to alter a custom, which he had observed with St. John the apostle, and the rest of the apostles of the Lord, with whom he had lived and familiarly conversed. Neither could Polycarp persuade Anicetus to recede from a custom which he had received from the elders that were before him. Yet they continued to communicate with each other, and Anicetus did Polycarp the honour to let him consecrate the eucharist in his church: and so they parted from each other in peace; all churches, as well those that observed it on the Lord's day, as those that did not, still agreeing to preserve Christian peace and communion one with another.

Not long after the death of Polycarp, the controversy was revived again at Laodicea, upon which Melito, bishop of Sardis, wrote his two books De Paschate, wherein he defended the opinion of the Asiatics, as is evident from the testimony and character which, not long after, Polycrates, bishop of Ephesus, gives of him. For when the dispute was set on foot again by the fierceness of Pope Victor, Polycrates[11] wrote to him, and told him, They observed the *Pasch* on the fourteenth day of the moon, as it had been kept, and handed down to them by St. Philip the apostle, who died at Hierapolis, and St. John the apostle, who died at Ephesus, by Polycarp, bishop of Smyrna, by Thraseas the martyr, bishop of Eumenia, by Sagaris the martyr, bishop of Laodicea, by Papirius, and Melito, bishop of Sardis, and many others, whose custom was to celebrate the *Pasch* on the same day that the Jews were wont to put away their leaven. This did not satisfy Pope Victor, but he, in a great paroxysm of intemperate zeal, immediately excommunicated all the Asiatic churches, and sent his circular letters to all churches that were of his opinion, that they should hold no communion with them. But this rash and bold act of his was ill resented by all wise and sober men of his own party, several of which wrote sharply to him, advising him rather to take such measures and resolutions as were proper to preserve charity, unity, and peace among the churches. Particularly Irenæus (whose nature, by what the Greeks call pheronymy, corresponded to his name, being of an irenical or pacific temper) wrote to him in the name of the church of Gaul, and in a decent manner admonished him not to excommunicate whole churches of God for observing an ancient custom, which they had received by tradition from their ancestors: forasmuch as that there had been disputes of old in the church, not only about the day, but about the manner of the fast preceding it; some fasting one, some two, some more days; yet all these kept peace one with another, as we now do, and the difference in the manner of fasting only commended their unanimity in the faith. He added, that Polycarp and Anicetus, though they could not agree upon the point, yet parted friends, and continued to communicate with each other, notwithstanding this difference, as has been related before. Athanasius[12] also tells us further, that the churches of Cilicia, Mesopotamia, and Syria, were in the same sentiments with the Asiatic churches in his time: though it is a dispute between Bishop Usher[13] and Valesius,[14] whether they were so originally; for Valesius will not allow that they were so in the time of Pope Victor. However, we see there were many great and famous churches, which kept their *Pasch* on the fourteenth day of the moon, with the Jews, and that as a custom received by tradition from St. Philip and St. John, the apostles. Neither were they induced by the menaces of Pope Victor to alter their custom, but continued it to the time of the council of Nice, anno 324. About which time Constantine, being very desirous to compose this difference in the church, sent Osius, bishop of Corduba, first into the East, as Sozomen[15] relates, to try if he could bring the dissenting party to a unanimity with the rest of their brethren. But failing of his design, he afterwards proposed the matter to the council of Nice, where a decree was made, that the holy feast of the *Pasch* should be kept on one and the same day by all; as appears from one of Constantine's epistles to the bishops who came not to the synod, which is recorded by all the historians.[16] Not long after this the council of Antioch, anno 341, made a more peremptory decree, that all who presumed to disannul the determination[17] made by the holy and great council of Nice concerning the Paschal festival, should be excommunicated and cast out of the church, if they persisted contentiously to oppose what was there decreed. The like canons had been made several times before; but none so peremptory as this. Eusebius mentions abundance of synods[18] in the time of Pope Victor, which determined with him that the resurrection *Pasch* ought only to be kept on the Lord's day: but they did not excommunicate any that opposed them; but rather, as Sozomen relates, mutually tolerated one another in

[10] Irenæ. Ep. ad Victor. ap. Euseb. lib. 5. cap. 24.
[11] Polycrates, Epist. ap. Euseb. ibid.
[12] Athan. Epist. ad Africanos, Tit. 1. p. 933. It. de Synodis Arimin. et Seleuc. p. 872.
[13] Usser. de Epistolis Ignat. cap. 9.
[14] Vales. in Euseb. lib. 5. cap. 23.
[15] Sozom. lib. 1. cap. 16.
[16] Theod. lib. 1. cap. 10. Socrat. lib. 1. cap. 9. Sozom. lib. 1. cap. 21. Euseb. de Vita Constant. lib. 3. cap. 14.
[17] Conc. Antioch. can. 1.
[18] Euseb. lib. 5. cap. 23.

their different observations.[19] The first council of Arles[20] likewise, before the council of Nice, anno 314, had given in charge, that the *Pasch* of the Lord's resurrection should be observed *uno die et tempore per omnem orbem*, at one time and on one and the same day throughout all the world. But they added no such penalty of excommunication to be inflicted on those that observed the contrary custom. The only rule which pressed the observation with severity, was one of the Apostolical Canons,[21] supposed to be made by some Eastern council about the time of Pope Victor, which says, If any bishop, presbyter, or deacon, keep the day of the holy *Pasch* before the vernal equinox with the Jews, let him be deposed. But this, at most, only affected the clergy. But when the great council of Nice had once undertaken to determine this matter, such a deference was thought proper to be paid to her decree, as that it was reputed a schismatical act, and worthy of ecclesiastical censure, for any one to oppose it. And therefore from this time the opposers of the decree are commonly censured either as heretics or schismatics, as may be seen in the canons of Laodicea,[22] and the first council of Constantinople[23] and the accounts which St. Austin[24] and Epiphanius give of the ancient heretics, where they are condemned under the names of *Quartadecimani*, and *Tessarescœdecatitæ*, and *Audiani*, with a particular reason given for their condemnation. For St. Austin notes out of Epiphanius, That the Audians were condemned not so much for their opinion in this point, as for their pervicaciousness in making a disturbance and schism in the church upon it. For they would not hold any communion with their own bishops,[25] nor with any that did not keep the *Pasch* at the same time that the Jews did. Epiphanius gives a large account of them, and says, They railed at the council of Nice for introducing a new custom in compliance with Constantine's humour,[26] and made a separation in the church; upon which Constantine banished Audius their leader into Gothia or Scythia, because he drew many away from the church into a separate communion. The case was now very different from what it was in the time of Pope Anicetus and Victor, when Polycarp and Polycrates kept their *Pasch* at a different time from the rest of the world, but still made no division in the church, but lived in peace and communion with those that differed from them. And this, no doubt, was the reason why the Audians or new Quartadecimans were treated with such severity by both the church and state above the old ones, because they pervicaciously carried their dissent into a schism, and made a formal rupture in the communion of the church. And for this reason the imperial laws were often very severe upon them. Theodosius the Great,[27] in one of his laws, ranks them with the Manichees, forbidding their conventicles, confiscating their goods, rendering them intestate, and liable also to capital punishment. In like manner, Theodosius junior ranks the Sabbatians and *Protopaschitæ* (which were new denominations of the Quartadecimans, taken up in his time) among the Manichees, Cataphrygians or Montanists, Arians, Macedonians,[28] Eunomians, Novatians, and makes them all liable to the same general punishments inflicted by the laws: and more particularly in two other laws,[29] he styles them execrable men, who being a spawn of the Novatians, were not content to be in the common herd, but set up a new sect, called Protopaschites (because they kept the *Pasch* before other Christians, and pretended that their way was the true primitive and original institution). These he condemns to be both confiscated and banished, and says, they deserved a more severe punishment, because they exceeded other heretics in madness, worshipping in a manner another Christ by keeping the *Pasch* at another time, and after a different manner, than all orthodox Christians. I remember no other place at present that mentions the Protopaschites by name but only this law; but it is plain they were one of the worst sort of Quartadecimans, who had made a new separation from the Novatian schis-

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[19] Sozom. lib. 7. cap. 19.

[20] Conc. Arelat. 1. can. 1.

[21] Canon. Apost. 8.

[22] Conc. Laodic. can. 7.

[23] Conc. Constant. 1. can. 7.

[24] Aug. Hær. 29 et 50. Epiphan. Hær. 50. Quartadeciman. et Hær. 70. Audianor.

[25] Aug. de Hær. cap. 50. Eos autem separasse se, dicit Epiphanius, a communione nostra, culpando episcopos dives, et Pascha cum Judæis celebrando.

[26] Epiphan. Hær. 70. n. 9. Vid. Chrys. Hom. 52. in eos qui Pascha jejunant, t. 5. p. 706.

[27] Cod. Theod. lib. 16. Tit. 5. de Hæret. Leg. 9. Quicunque in unum Paschæ diem non obsequenti religione convenerint, tales indubitanter, quales hac lege damnavimus, habeantur.

[28] Ibid. Leg. 59.

[29] Cod. Theod. lib. 16. Tit. 6. Ne Sanctum Baptisma iteretur, Leg. 6. Illud etiam quod a retro principibus dissimulatum, et in injuriam sacræ legis ab execrandis hominibus agitatur, et ab iis potissimum qui Novatianorum collegio desertores et refugæ, auctores se quam potiores (al. portiones) memoratæ sectæ haberi contendunt, quibus ex crimine nomen est, cum se Protopaschitas appellari desiderent, inultum esse non patimur. Sed si alio die Novatiani, quam quo orthodoxorum antistites prædicandum ac memorabilem in sæculis diem Paschæ duxerint celebrandum, auctores illius conventionis deportatio pariter ac proscriptio subsequatur: contra quos etiam acrior pœna fuerat promulganda: si quidem hoc delictum etiam hæreticorum vesaniam superet, qui alio tempore quam quo orthodoxi, Paschæ festivitatem observantes, alium pene Dei Filium, non quem colimus, venerantur. It. Cod. Theod. lib. 16. Tit. 10. de Paganis, Leg. 24. Eos qui omnibus hæreticis hac una sunt persuasione pejores, quod in venerabili die Paschæ ab omnibus dissentiunt, si in eadem amentia perseverant, eadem pœna multamus, bonorum proscriptione atque exilio.

matics upon this question about the Paschal festival. For some of the Novatians in one of their synods at Pazus in Phrygia had made a decree, mentioned by Socrates,[30] that Easter ought to be kept with the Jews. Which occasioning a new dispute among them, (for the old Novatians at Rome and Constantinople were of a different opinion,) Marcianus, the Novatian bishop of Constantinople, called another synod at Angarus in Bithynia, where, to end the controversy and lay it asleep, they made a new canon, called the Ἀδιάφορον, which was, That the matter should be indifferent, and that both parties might keep the feast their own way, and not break communion upon it. But Sabbatius, a fierce man among them, would not yield to this, but said the decree of the synod of Pazus ought to be observed, and that the *Pasch*[31] ought to be observed after the manner of the Jews. And upon this he made a new separation among the Novatians, and headed the Protopaschites, who from him were called Sabbatians. It appears also from Chrysostom,[32] that these Protopaschites were gone further into the Jewish notions about the *Pasch* than the rest of the Quartadecimans; for they asserted, That it was necessary to observe the Jewish *Azyma*, and keep the fast as the Jews did, when the *Pasch* was over. For Sabbatius himself was originally a Jew, and retained a tincture of Judaism when he professed the Christian religion, as Socrates notes in the forementioned place. So they kept a feast with the Jews, when the Christians fasted on the Passion-day, (as Chrysostom charges[33] them,) and fasted on Easter-day, when the Christians kept their festival in memory of the resurrection. This, as far as I can collect, is the true history of the progress which the new Quartadeciman schism made after the council of Nice, and the reason why the laws both imperial and ecclesiastical proceeded with greater severity against them, above the old Quartadecimans, who never broke communion with their brethren, however they differed from them in their practice. They thought the peace and unity of the church of greater value, than the observation of times and seasons: and if they could not comply with their brethren in the precise time of keeping Easter, yet they were careful for all that to keep the unity of the spirit in the bond of peace.

Sect. 4. They who kept it on the Lord's day did not always agree to fix it on the same Lord's day, by reason of their different calculations.

Besides this difference about keeping Easter on the Lord's day, there was another, which, though of less moment, yet sometimes very much embarrassed and troubled the church. That was a dispute among those who agreed to observe the festival on no other but the Lord's day. For though they all unanimously combined in this, yet it was not so easy to determine on what Lord's day it was to be held, because it was a movable feast; and, therefore, sometimes it happened, that the churches of one country kept it a week or a month sooner than others, by reason of their different calculations. It appears from an epistle of St. Ambrose,[34] that in the year 387, Easter was kept at three several times; some observing it March 21, others April 18, and others 25. So it happened again, anno 577; the churches of Gaul kept it on March 21, the churches of Italy on April 18, and the churches of Egypt on April 25, as Bishop Stillingfleet[35] shows out of Gregory of Tours and Labbé's Chronologicon Technicum, anno 387 and 577. Where he shows further out of the ancient Laterculus Paschalis, published by Bucherius,[36] that the Easter of the Latins was three times a month sooner than that of the Alexandrians within the compass of a hundred years, viz. anno 322, 349, 406. It appears also from Leo's epistles,[37] that in the year 455, there were eight days' difference between the Easter at Rome and at Alexandria. Cyril of Alexandria,[38] in one of his Paschal epistles, complains, that there was great confusion in the account of Easter both in the church, the camp, and the palace. And Anatolius, in his preface to his Paschal canon, complains,[39] that there were very different and contrary cycles in use in his time, (anno 270,) some following Hippolytus's cycle of sixteen; others the Jewish cycle of eighty-four; others a cycle of twenty-five; others a cycle of thirty. And he tells us, that Isidore, Hierom, Clemens, and Origen, all his countrymen, Egyptians, had laboured in this matter before him. But notwithstanding any endeavours that could be used then, or afterwards, there remained great differences in the church about it for many ages. For the churches of Great Britain and Ireland did not accord with the Roman church in keeping Easter on the same Sunday,[40] till about the year 800. Nor was the Roman way fully received in France, till it was settled there by the authority of Charles the Great, as has lately been showed by two learned writers, Bishop Stillingfleet and Dr. Prideaux, who give a full account of the controversy between the Britons and Romans, which I shall not here repeat, but only acquaint the reader

[30] Socrat. lib. 4. cap. 28. [31] Ibid. lib. 5. cap. 21.

[32] Chrys. Hom. 52. in eos qui Pascha jejunant, t. 5. p. 713.

[33] Chrys. ibid. p. 714.

[34] Ambros. Ep. 83.

[35] Stillingfleet's Answer to Cressy, p. 323.

[36] Bucher. Comment. in Hippolyt. Can. Paschal. p. 264.

[37] Leo, Ep. 64. ad Marcian. Ep. 65. ad Eudoxiam. Ep. 95. ad Episc. Gallos.

[38] Cyril. Ep. Paschal. ap. Bucher. de Doctrina Temp. Append. p. 482.

[39] Anatol. Canon. Paschal. ap. Bucherium.

[40] See Bishop Stillingfleet's Answer to Cressy, p. 3? And Dr. Prideaux's Connexion of Hist. &c. Part book 4. p. 273.

how these differences happened at first in the church by using different ways of calculation.

It is agreed on all hands, that the first Christians of Jerusalem had no other way of finding out Easter, but by the Jewish cycle of eighty-four years, which the Jews had used some time before to settle the anniversary returns of their passover; which cycle, though it was a little faulty, continued to be used by the Christians for near two hundred years. Not that they kept their Easter on the fourteenth day with the Jews, as Scaliger[41] and some others have erroneously hence concluded; for which they are corrected by Bishop Usher[42] and Bishop Beveridge,[43] who show, that those first Christians of Jerusalem, though they followed the Jewish computation, did not keep Easter with the Jews on what day of the week soever it fell, but on the Sunday following, in honour of our Saviour's resurrection: however, they continued to use the Jewish cycle, till the fifteen bishops of Jerusalem who were of the circumcision were succeeded by others who were not of the circumcision, and then they began to reckon their Easter by other computations. Epiphanius[44] says expressly, That they kept Easter at first by the old Jewish cycle; and he quotes an order out of the Apostolical Constitutions, (different from those which we have now,) appointing them not to trouble themselves about calculations, but to keep the feast at the same time with the brethren that came out of the circumcision, and not be concerned though they were mistaken in their calculations. But when that succession of Jewish bishops was ended, with the destruction of Jerusalem, in the time of Hadrian, some Christians began to inquire into the defects of the Jewish cycle, which was found to make Easter sometimes anticipate the vernal equinox, and so bring two Easters into one year. To remedy which inconvenience, they began to invent other cycles. About the year 220, Hippolytus, bishop of Portus or Adana in Arabia, published a new cycle in his Paschal canon, which, Eusebius says, was called[45] the *ἑκκαιδεκαετηρὶς*, or the cycle of sixteen years. Not long after this Dionysius, bishop of Alexandria, about the year 250, set forth another canon, called the *ὀκταετηρὶς*, or cycle of eight years, in which, as Eusebius tells us,[46] he particularly remarked, that the Paschal festival ought never to be kept till after the vernal equinox. Not long after, Anatolius, who was also an Alexandrian, about the year 270, published another cycle, which Eusebius says was called the *ἐννεαδεκαετηρὶς*,[47] the cycle of nineteen; in which he showed from several ancient Jewish writers themselves, that the *Pasch* ought never to be before the vernal equinox, and therefore there was a necessity of correcting their cycle. Hence about this time Bishop Usher[48] reckons the seventh of those called the Apostolical Canons, and the interpolation of the old Constitutions, took their original. The former of which[49] says, If any bishop, presbyter, or deacon, keep the Paschal feast before the vernal equinox, with the Jews, let him be deposed. And the other,[50] Ye, brethren, who are redeemed with the precious blood of Christ, ought to keep the *Pasch* with all diligence and exactness after the equinox, that ye may not twice in one year commemorate the passion of him who died but once, and be careful that ye observe not the *Pasch* with the Jews. For we have now no communion with them. For they are deceived in their very calculation, which they imagine to be exact. So that they err in all respects, and are found to deviate from the truth. We see, at this time the Jewish calculation was generally rejected by the Eastern church, and yet no certain one agreed upon in its room, to fix unalterably the precise Lord's day on which they were to celebrate this festival. Therefore, this matter remaining still uncertain, the council of Nice, which determined that it should be kept only upon the Lord's day, is said[51] also to have committed the care of the cycle to the bishops of Alexandria, that they might inform the rest of the world on what Lord's day every year it was to be observed. Some think upon this Eusebius was employed to draw up the cycle of nineteen, which was afterwards perfected by Theophilus, bishop of Alexandria, in the time of Theodosius, into a calculation for a hundred years. And yet after this it was that Cyril still complained of great confusion in the account of Easter in the church, in the camp, and in the palace; and that the Roman and Alexandrian accounts sometimes varied a week or a month from each other, (as we have seen before,) which was owing purely to their different ways of calculation; because the Roman church still proceeded by the old Jewish cycle of eighty-four, and not by the new Alexandrian cycle of nineteen. To remedy this confusion, one Victorius, a Frenchman, was employed by Hilarius, archdeacon of Rome, to make a new Paschal canon; but neither did his attempt succeed; for though he took in the Alexandrian cycle of nineteen, yet still he retained so much of the Roman, as made the variation of Easter Sunday sometimes a week, and sometimes a month between them. And no effectual cure was found for this, till Dionysius Exiguus, anno 525, brought the Alexandrian canon entire

[41] Scaliger. de Emend. Temp. lib. 2. p. 150.
[42] Usser. Prolegom. ad Ignat. cap. 9.
[43] Bevereg. ad Canon. Apost. 7.
[44] Epiphan. Hær. 70. Audianor. n. 10.
[45] Euseb. lib. 6. cap. 22.
[46] Euseb. lib. 7. cap. 20.
[47] Ibid. cap. 32.
[48] Usser. Prolegom. in Ignat. cap. 9.
[49] Can. Apost. 5. al. 8.
[50] Constit. lib. 5. cap. 16.
[51] Leo, Ep. 63. ad Marcian. Imperator.

into the use of the Roman church. Meanwhile the churches of France and Britain kept to the old Roman canon, and it was two or three ages after before the new Roman, that is, the Alexandrian canon was, not without some struggle and difficulty, entirely settled among them. This is the short of the history of the long dispute that happened in the church among those that were otherwise agreed to keep Easter only on the Lord's day, which was owing purely, as we have seen, to the great variety of their cycles and calculations. Meanwhile particular members of particular churches had no concern in this dispute, but were obliged for peace sake to follow the rule of their own church, though there might be some error in her calculation. For, as Chrysostom[52] says well upon the dispute with the Protopaschites, men were not bound to be over-critical about days and times and years, but carefully in such matters to follow the church, and prefer peace and charity before all other things. For though the church were in an error, yet there was no such advantage or commendation to be gained by the exact knowledge of times, as there might be disadvantage and dispraise arising from division and schism about it. And with this consideration men were generally inclined to keep Easter in peace, and sometimes comply with what they thought a wrong calculation, rather than make a disturbance in the church upon it. As Pope Leo tells the French and Spanish bishops, he complied with the Alexandrian cycle in the year 455, when there was a week's difference in their computation; the Roman cycle placing Easter on the seventeenth of April, and the Alexandrian on the twenty-fourth. But he acquiesced, he says, in their determination for the sake of peace and unity,[53] and desired the Western bishops so to do likewise, and to give notice of the time to their brethren; that they who were united in the same faith, might not be divided about the solemnity of the festival. This was an excellent rule of peace, though there were some fierce and intractable spirits, that would not always be content to be governed by it.

Sect. 5. But they all agreed to pay a great respect and honour to it, as to the day of our Lord's resurrection.

Having thus far accounted for the differences that were in the church about the time of this festival, I come now to show wherein they all agreed to pay a peculiar respect and honour to it. Gregory Nazianzen,[54] after his manner, styles it the queen of days, and the festival of festivals, which excels all others, not only human, but even those that are instituted to the honour of Christ, as far as the sun goes beyond the other stars. It was a day of extraordinary rejoicing upon the account of our Lord's resurrection; being, as Chrysostom[55] styles it, the desirable festival of our salvation, the day of our Lord's resurrection, the foundation of our peace, the occasion of our reconciliation, the end of our contentions and enmity with God, the destruction of death, and our victory over the devil. Hence, in some ancient writers it is distinguished from all other Lord's days in the year by the peculiar name of *Dominica gaudii*, the Lord's day of joy, as Papebrochius and Pagi[56] have observed upon the Life of Pachomius and Theodore, the latter of which saints is said to have ended his life *Dominica gaudii*, which those learned men think can be understood of no other but Easter Sunday. And that implies that this was then a known and noted appellation.

Sect. 6. On this day the emperors granted a general release to the prisons, and pardoned all criminals, except some few that were guilty of crimes of a more unpardonable nature.

One great instance of this public joy was given by the emperors, who were used to grant a general release to the prisons on this day, and by an act of grace, called their indulgence, set all criminals free, except some few that had committed crimes of a more unpardonable nature. This custom was first begun by Valentinian, anno 367, who has two laws in the Theodosian Code to this purpose. The former of which runs in these terms:[57] In honour of the Paschal festival, which we celebrate from the bottom of our heart, we open the prisons to all criminals that lie bound in chains, only excepting such as are guilty of sacrilege, treason, robbing of graves, poisoning, magic, adultery, stealing or ravishing of virgins, and murder, from the benefit of this indulgence. Valentinian junior and Theodosius, anno 381, made a like act of grace, only excepting the same crimes, under which they more expressly comprised parricide, incest, and counterfeiting[58] the public coin, as species of murder, adultery, and treason, which for their infamous character ought to have a more notorious mark set upon them. They also excepted such as relapsed into their former crimes, because they abused the indulgence of their prince, by making that an incitement to sin, which

[52] Chrys. Hom. 52. t. 5. p. 714.

[53] Leo, Ep. 115. Quia studio unitatis et pacis malui Orientalium definitioni acquiescere, quam in tantæ festivitatis observantia dissidere, noverit fraternitas vestra, die octava Kalendas Maias ab omnibus resurrectionem Dominicam celebrandam: et hoc ipsum per vos aliis fratribus esse intimandum, ut Divinæ pacis consortio, sicut una fide jungimur, ita una solennitate feriemur. Vid. Prosper. Chronic. an. 455.

[54] Naz. Orat. 19. in Fun. Patris, t. 1. p. 304. et Orat. 42. de Pasch. p. 676.

[55] Chrys. Hom. 85. de Paschate, t. 5. p. 587. Edit. Savil.

[56] Papebroc. Vita Pachomii, 14. Maii. Pagi, Critic. in Baron. an. 370. n. 4.

[57] Cod. Theod. lib. 9. Tit. 38. de Indulgentiis Criminum, Leg. 3. Ob diem Paschæ, quem intimo corde celebramus, omnibus quos reatus astringit, carcer inculsit, claustra dissolvimus: adtamen sacrilegus, in majestate reus, in mortuos, veneficus, sive maleficus, adulter, raptor, homicida, communione istius muneris separentur. Vid. Leg. 4. ejusdem, Imper. ibid.

[58] Ibid. Leg. 6 et 7.

was intended only as a means to correct evil habits, and bring them to a reformation. The same emperor, anno 385, made another decree, That whereas it might happen, that by the negligence or remissness of messengers, or any other accident, their letters of grace might come too late, the judges of provinces should be empowered, as soon as Easter day[59] was come, to dispense the accustomed indulgence, causing the prisons to be opened, the chains to be knocked off, and the persons to be set at liberty; such only excepted, as it would be a scandal to pardon, because their actions were a reproach to the purity of that holy and joyful season. For who (say they with great elegancy) would grant an indulgence to a sacrilegious villain at a holy season? Who would pardon an adulterer, or an incestuous person, at a time which calls for perfect chastity? Who would not pursue a ravisher of virgins in the profoundest peace and public joy? Let him have no rest nor respite from his bonds, whose barbarous cruelty would not suffer the dead to rest quietly in their graves: let the poisoner, and the sorcerer, and the falsifier of the coin still suffer torment: let the murderer expect the same that he has done to others; and the rebel despair of pardon from his prince, against whom he has plotted treason. But excepting these criminals, all others had the benefit of these imperial indulgences at this holy season. Justinian takes no notice of the former laws, but inserts this last into his Code,[60] which shows that it became the standing law of the Roman empire. And the Goths adopted it also into their law, as appears from one of Cassiodore's epistles,[61] which Gothofred commends as written with a great deal of elegancy upon this subject. The ancient fathers not only mentioned these Paschal indulgences, but frequently speak of them with great commendations. St. Chrysostom more than once[62] tells us, That when Flavian, bishop of Antioch, went to intercede with Theodosius the emperor for that city, which by the seditious practices of some had highly incurred his displeasure, among other arguments to mitigate his anger against them, he made use of this, taken from his own practice, that in honour of the Paschal festival, he was used to send letters round the world, to cause all prisons to be opened, and all that were in bonds to be set at liberty: Therefore take an example, said he, from yourself, and call to mind your own humanity; when in one of your letters, as if it had not been enough to discharge the prisoners, you were pleased to add, I wish I were able to recall those that are already executed, and restore them to life again. St. Ambrose[63] made use of the same argument to aggravate the offence of the younger Valentinian when by the persuasion of his mother Justina, the Arian empress, he had sent some of the catholic bishops to prison at the holy feast of Easter, when it was customary to loose the bonds of those that were already in prison, and which he himself before was used to do, as appears from his laws already mentioned. The same custom is mentioned by Gregory Nyssen,[64] who, speaking of the resurrection of Christ, says, There is no one so miserable as not to find a release by the magnificence of this great festival. For at this time the prisoner is loosed, the debtor is set at liberty, and the slave has his manumission or freedom granted him by the kind declaration of the church. In like manner, the petition presented by the Eutychian monks to the second council of Ephesus, recorded in the Acts of the Council of Chalcedon,[65] takes notice, That as the church was wont to absolve sinners at Easter from the bonds of excommunication, so the emperors used to loose the bonds of those that were in prison for their offences.

Chrysostom further[66] acquaints us with the reason or ground of this practice, telling us, That the emperors set prisoners at liberty, that they might imitate, as far as in them lay, the example of their Lord and Master. For as he delivered us from the grievous prison of our sins, and made us capable of enjoying innumerable blessings; so ought we in like manner, as far as was possible, to imitate the mercy and kindness of our Lord. So again, in his homily upon Psalm cxlv. (which was spoken in the Passion-week, and therefore goes under both titles): The imperial letters, says he,[67] are sent forth, commanding all prisoners to be loosed from their bonds. For as our Lord, when he was ἐν ᾅδου, in hell, or the state and place of the dead, set at liberty all that were under the power of death; so his servants, contributing what they are able in imitation of the mercy of their Lord, loose men from these visible bonds, having no power to loose them from those which are spiritual and invisible. Whence we may observe, that these indulgences of the princes were not designed to make men believe they were cleared either of the guilt or infamy of their crimes, but only freed from the punishment that was due to them. Both the guilt and scandal still remained upon them, and the very indulgence itself was a note of infamy, implying, that they had done something that needed such a pardon. And for this

[59] Cod. Theod. lib. 9. Tit. 38. de Indulg. Crim. Leg. 8.

[60] Cod. Just. lib. 1. Tit. 4. de Episcopali Audientia, Leg. 3.

[61] Cassiodor. lib. 11. Ep. ultima.

[62] Chrys. Hom. 6. ad Pop. Antioch. p. 95. t. 1. Hom. 20. ibid. p. 256.

[63] Ambros. Ep. 33. Sanctis diebus hebdomadis ultimæ, quibus solebant debitorum laxari vincula, &c.

[64] Nyssen. Hom. 3. de Resur. Christi, t. 3. p. 420.

[65] Conc. Chalced. Act 1. Conc. t. 4. p. 278.

[66] Chrys. Hom. 30. in Gen. t. 2. p. 427.

[67] Ibid. in Psal. cxlv. t. 3. p. 823. quæ est Hom. 78. in Hebdomadam Magnam, t. 5. Edit. Savil. p. 541.

reason these indulgences were never granted promiscuously to whole bodies of men, because that would have been to have set a mark of infamy and condemnation upon the innocent as well as the guilty, as Valentinian once[68] told the senate, when they petitioned for a general act of grace to be granted to their whole body for the sake of a few offenders in it. He assured them, he was ready to pardon any particular members among them; but to grant a general indulgence to the senate, was to defame the senate without reason: since every indulgence set a mark upon those whom it freed; and did not erase the infamy of the crime, but only relax the punishment. For as one of the old poets said well, *Pœna potest demi, culpa perennis erit*, The punishment may be remitted, but the crime, both in its guilt and scandal, will remain upon men for ever, notwithstanding any such human act of grace, unless they take some proper methods to sue out a Divine pardon. However, the emperors were willing to grant what indulgence they could to men's bodies at this holy festival, that criminals might partake of their clemency showed in imitation of their Lord, and use the opportunity to do something more for themselves, by having recourse to heaven as penitents, and applying to the throne of grace for a more effectual pardon.

Sect. 7. At this time also it was usual more than ordinary for men to show their charity to slaves by granting them their freedom.

We may observe further out of the forementioned place of Gregory Nyssen, that it was usual at this time not only to release criminals out of prison by a public act of state, but for private men also to show their charity to their fellow creatures, by granting slaves their manumission or freedom, as a proper expression of mercy becoming this holy festival, which brought a general redemption from slavery, and universal liberty to mankind by our Saviour's resurrection. And that there might be no clog or impediment to this good disposition cast in men's way to hinder this kind of charity, the law provided, that though all other kinds of legal processes should cease for the whole week following this festival, yet whatever was necessary to be done by way of charity for the manumission of slaves, should be allowed of, as comporting with the true intent and design of this holy solemnity. This we learn from a law of Theodosius[69] in the Justinian Code, which says, Let all actions at law, whether public or private, cease in the fifteen Paschal days (that is, in the week before and the week after Easter Sunday). Yet all men have liberty at this time to grant freedom to their slaves, and whatever acts are necessary to be done in law to promote this end are not prohibited. This is the same exception that Constantine had made[70] before with respect to the Lord's day, on which all proceedings at law were prohibited, except such as were matters of absolute necessity or great charity, among which he reckons the manumission of slaves, which therefore was allowed at any time, as has been showed before in speaking of the Lord's day.

Sect. 8. And to the poor by liberal donations.

But this was not the only instance of their charity at this holy season. For they were ambitious at this time especially to show their liberality to the poor; nothing being thought more congruous and suitable to the occasion, than for men to make the hearts of the poor rejoice, at a time when they remembered the common fountain of their mercies, as Commodian[71] words it in his instructions. Upon this account, Eusebius tells us,[72] Constantine was used, as soon as the morning of Easter-day appeared, to open his hand in liberality to all nations, provinces, and people; bestowing rich gifts upon them, in imitation of the beneficence of the common Saviour of mankind.

Sect. 9. The whole week after Easter-day celebrated with sermons, communions, &c. as part of the same festival.

Neither did they confine their acts of piety and devotion to Easter-day, but kept the whole week following in the strictest manner, as part of the same festival; holding religious assemblies every day not only for prayer, but for preaching and receiving the communion also. This is evident in part from what has been observed in the beginning of this chapter, sect. 1. that the Paschal solemnity in its full extent included fifteen days, or two whole weeks, the one before, and the other after Easter-day. Concerning that which followed after (and of that we are only speaking here) Chrysostom says plainly,[73] that they had sermons every day throughout the whole week: For seven days together we hold religious assemblies, and prepare a spiritual table for you, making you partakers of the Divine oracles, and every day anointing you, he means, with the spiritual unction of instruction, and arming you against the devil. A little after he says again, Seven days together ye have preaching, that ye may learn perfectly to wrestle with your enemy. And he calls the whole solemnity a spiritual marriage, which, after the manner of other marriage solemnities, lasted seven days. Upon this account the author of the Constitutions requires

[68] Cod. Theod. lib. 9. Tit. 38. de Indulgent. Criminum, Leg. 5. Indulgentia, patres conscripti, quos liberat, notat; nec infamiam criminis tollit, sed pœnæ gratiam facit. In uno hoc, aut in duobus reis ratum sit: qui indulgentiam senatui dat, damnat senatum.

[69] Cod. Justin. lib. 3. Tit. 12. de Feriis, Leg. 8. Actus omnes seu publici sunt seu privati, diebus quindecim Paschalibus conquiescant. In his tamen et emancipandi et manumittendi cuncti licentiam habeant: et super his acta non prohibeantur.

[70] Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 1.

[71] Commod. Instruct. cap. 75.

[72] Euseb. Vit. Const. lib. 4. cap. 22.

[73] Chrys. 34. de Resur. Christi, t. 5. p. 531 et 532.

servants to rest from their labour this whole week,[74] that they might attend sermons and other offices of Divine service. The same is required in the second council of Mascon: On those six most holy[75] days let no one presume to do any servile labour, but let all with one consent attend the service of the Paschal festival, and persevere in offering up their daily sacrifices, praising him who created and redeemed us, both evening and morning and at noonday. And to the same purpose the council of Trullo:[76] From the holy day of the resurrection of Christ our God to New Sunday, μεχρὶ τῆς καινῆς Κυριακῆς, all the faithful ought to spend their time at church, and exercise themselves incessantly the whole week in psalms and hymns and spiritual songs, rejoicing in Christ, and celebrating the festival by attendance on the reading of the holy mysteries. For so we shall rise with Christ, and be exalted with him. Therefore let neither horse-racing, nor any other public games or shows, be performed on these days.

Sect. 10. All public games prohibited during this whole season.

What this council here forbids under the name of public games, is agreeable to former imperial laws, which prohibited them not only on Easter-day, as being one of the Lord's days, but extended the prohibition to the whole week after. For so Theodosius junior had expressly determined,[77] that at Easter and Pentecost all public games and pleasures both of the theatre and cirque should universally be denied to the people, during the whole time that the newly-baptized wore their white and shining garments representing the light of their heavenly washing: (that is, till the Sunday following, which, as we shall see by and by, was the conclusion of this festival:) and the reason of this prohibition is there given; because during this season the minds of Christians ought wholly to be employed in the worship of God. And the prohibition extends also to Jews and Gentiles, who are so far obliged to pay a respect to this holy time, as to know how to make a distinction between days of supplication and days of pleasure.

Sect. 11. And all proceedings at law, except in some special and extraordinary cases.

And for the same reason all proceedings at law were prohibited at this season, except in some special and extraordinary cases. As the case of manumission of slaves, which being a case of great charity, was allowed at all seasons; as has been noted before,[78] out of Gregory Nyssen, and a law of Theodosius, which allows and confirms all acts of law that were necessary to be done in order to set slaves at liberty and give them their freedom. And a like exception was made by Theodosius junior and Honorius,[79] in the case of trying pirates, because this was necessary to be done immediately, for the sake of the public safety; and therefore the examination of such criminals was allowed in Lent, and on the Easter festival. But excepting such cases of necessity and charity, all other actions at law were entirely superseded at this time in honour of the Paschal festival. There are laws of Theodosius in both the Codes[80] to this purpose, That the whole fifteen days of the Paschal solemnity, that is, the week before Easter day, called the great week in Lent, and the week following, should be times of perfect vacation from all actions and business of the law; the forementioned cases only excepted. And they are often mentioned and referred to by St. Austin,[81] Chrysostom, and others, who need not here be repeated, because they have been alleged before upon other occasions in this chapter, sect. 1 and 6.

Sect. 12. The Sunday after Easter, commonly called *Dominica nova*, and *Dominica in albis*, observed with great solemnity as the conclusion of the Paschal festival.

Neither need I remark here, that Easter was the most noted and solemn time of baptism in the church, because of this the reader has had a particular account before in treating of baptism: but I only observe, that the Sunday after Easter, which was the conclusion of the Paschal feast, was usually observed with great solemnity. For on this day the neophytes, or persons newly baptized, were wont to lay aside their white garments, and commit them to the repository of the church. Whence, as it was sometimes called the octaves of Easter, as being the conclusion of the Paschal festival; so more commonly it was known by the name of *Dominica in albis*, the Sunday of *albes*, or white garments. Under which denominations we meet with it several times in St. Austin, in his sermons upon this day; some of which are said to be preached[82] *Dominica in octavis Paschæ*, and others, *Dominica in albis*;[83] if any stress is to be laid upon the titles, which, perhaps, may be added by other writers about the time of Charles the Great,

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[74] Constit. lib. 8. cap. 33.

[75] Conc. Matiscon. 2. can. 2. Sanctissimis illis sex diebus nemo servile opus audeat facere, sed omnes simul coadunati, hymnis Paschalibus indulgentes, perseverationis nostræ præsentiam quotidianis sacrificiis ostendamus, laudantes creatorem ac regeneratorem nostrum vespere et mane et meridie.

[76] Conc. Trull. can. 66.

[77] Cod. Theod. lib. 15. Tit. 5. de Spectac. Leg. 5.

[78] See before, sect. 6 and 7, of this chapter.

[79] Cod. Theod. lib. 9. Tit. 35. de Quæstionibus, Leg. 7. Provinciarum judices moneantur, ut in Isaurorum latronum quæstionibus, nullum Quadragesimæ, nec venerabilem Pascharum diem existiment excipiendum, ne differatur sceleratorum proditio consiliorum, &c. Vid. Cod. Theod. lib. 13. Tit. 5. de Navicularis, Leg. 38.

[80] Ibid. lib. 2. Tit. 8. de Feriis, Leg. 2. Sanctos quoque Paschæ dies, qui septeno vel præcedunt numero vel sequuntur, in eadem observatione numeramus. Vid. Cod. Justin. de Feriis, Leg. 2, 7, 8.

[81] Aug. Serm. 19. inter editos a Sirmondo. Chrys. Hom. 30. in Gen. et in Psal. cxlv.

[82] Aug. Serm. de Temp. 160, 162, 163, 164.

[83] Id. Serm. 19. ex editis a Sirmondo.

in whose days these were the common appellations among all the ritualists of the Latin church.[84] But the Greek writers give it another name, viz. Καινὴ Κυριακὴ, or Διακαινήσιμος, the New Sunday. Under which title Nazianzen[85] and Chrysostom have sermons upon it, and the council of Trullo[86] mentions it under the same denomination, saying, From the day of the Lord's resurrection to the New Lord's day, men shall attend at church to singing, reading the Scriptures, and participating of the holy mysteries. It was so called from the renovation of men by the new birth of baptism; being the close of the great festival of Easter, at which they were baptized, and born anew of water and the Holy Ghost, and then clothed in new and white garments, emblems of their new light and birth; which being laid aside again the Sunday following, the day was called the New Lord's day, from the whole action that went before it: as the six days of the week preceding it were called *dies neophytorum*, the days of the neophytes, or newly-baptized, for the same reason; as we find in St. Austin,[87] who, speaking of the time from Easter Sunday to the Sunday following inclusively, styles it *octo dies neophytorum*, the eight days of neophytes, taking both Sundays into the number.

CHAPTER VI.

OF PENTECOST, OR WHITSUNTIDE.

Sect. 1. Pentecost taken in a double sense among the ancients. First, For the fifty days between Easter and Whitsuntide; and, secondly, For the single day of Pentecost.

The next great festival was that of Pentecost, which is taken in a double sense among the ancients. For sometimes it signifies the whole space of fifty days between Easter and Whitsuntide, which was one continued festival; and sometimes it was taken in a more restrained sense, for that particular time which was set aside for the commemoration of the descent of the Holy Ghost upon the apostles. In the former acceptation Tertullian[1] speaks of it, when he tells the Christians by way of triumph over the heathens, That the heathen festivals were but a single day in the return of every year; but the Christians had a festival every eighth day, meaning the Lord's day; and besides that, they had one continued festival of fifty days, which was more than all the festivals the heathen could pretend to reckon up in a whole year. So, again, he says in another place,[2] That Pentecost was a large space of time appointed by the church for administering of baptism, during which season the resurrection of the Lord was frequently demonstrated to the disciples, and the grace of the Holy Ghost was first poured out upon them. Where it is plain, he takes Pentecost not barely for the day on which the Holy Ghost descended on the apostles, but for the whole time that our Saviour conversed amongst his disciples to give them proof of his resurrection. Therefore though Vicecomes[3] reprehends Ludovicus Vives for asserting this, yet Habertus[4] defends him out of these places of Tertullian; and Dr. Cave,[5] and other learned men, are of the same opinion. Particularly Gothofred takes a great deal of pains to prove this to be the meaning of *Quinquagesima*, which is the Latin name for Pentecost, in that famous law of Theodosius junior, where[6] he prohibits all public games and sports during the solemnities of Easter and Pentecost, which solemnities are there described by these two circumstances or characters; first, That the neophytes then laid aside their white and bright garments, representing the new light and brightness of their holy and heavenly washing; and, secondly, That at this season the Acts of the Apostles, called the Apostolical Passions, were read in commemoration and confirmation of the great doctrine of Christianity, our Lord's resurrection.

Sect. 2. During which time the church chiefly exercised herself in reading and meditating upon the Acts of the Apostles, as the great confirmation of our Lord's resurrection.

The latter of these circumstances is a peculiar characteristic, not of any single day, but of the whole time between Easter and Whitsuntide; during which time it was customary in the church to read the Acts of the Apostles, as we learn from several passages in Chrysostom, which plainly show, that he takes Pentecost for the whole fifty days between Easter-day and Whit Sunday. One of his homilies is chiefly spent in giving an answer to this question,

[84] Vid. Vicecomes de Ritib. Bapt. lib. 5. cap. 12.

[85] Naz. Orat. 43. in Dominicam Novam. Chrys. Hom. 106. in Dom. Nov. t. 7. Edit. Savil. p. 575.

[86] Conc. Trull. can. 66.

[87] Aug. Ep. 119. ad Januar. cap. 17.

[1] Tertul. de Idololat. cap. 14. Ethnicis semel annuus dies quisque festus est: tibi octavo quoque die. Excerpe singulas solennitates nationum, et in ordinem texe, Pentecosten implere non poterunt.

[2] Tertul. de Bapt. cap. 19. Exinde Pentecoste ordinandis lavacris latissimum spacium est, quo et Domini resurrectio inter discipulos frequentata est, et gratia Spiritus Sancti dedicata, &c. Vid. Can. Apostol. 37. et can. 20. Conc. Antioch. where mention is made of the fourth week in Pentecost.

[3] Vicecom. de Ritib. Bapt. lib. 1. cap. 25.

[4] Habert. Archieratic. par. 8. Observ. 4. p. 134.

[5] Cave, Prim. Christ. p. 307.

[6] Cod. Theod. lib. 15. Tit. 5. de Spectaculis, Leg. 5. Paschæ etiam et Quinquagesimæ diebus (quamdiu cœlestis lumen lavacri, imitantia novam sancti baptismatis lucem vestimenta testantur: quo tempore et commemoratio apostolicæ passionis, potius Christianitatis magistræ, a cunctis jure celebratur) omni theatrorum atque circensium voluptate populis denegata, &c.

why the Acts of the Apostles are read in Pentecost?[7] The sermon itself bears this title; and in answer to the question, he says, That on every festival such portions of Scripture were read, as particularly related to that festival. Thus, on the day of our Saviour's passion all such Scriptures were read as had any relation to the cross; on the great sabbath, or Saturday before Easter, they read all such portions of Scripture as contained the history of his being betrayed, crucified, dead, and buried; on Easter-day they read such passages as gave an account of his resurrection. But then it seemed a difficulty, why the Acts of the Apostles, which contain the history of their miracles done after Pentecost, should be read in this interval, before Pentecost was fully ended. To this he answers, That the miracles of the apostles, contained in that book, were the great demonstration of our Saviour's resurrection; and therefore the church appointed that book to be read always immediately after our Saviour's resurrection, to give men the evidences and proofs of that holy mystery, which was the completion of their redemption. And hence it became a standing rule over the whole church to read the Acts in these fifty days of Pentecost, as appears from many other places of Chrysostom,[8] Austin,[9] Cassian,[10] and the fourth council of Toledo,[11] which, because I have had occasion to recite at large in a former Book,[12] I forbear to repeat them in this place.

Sect. 3. All fasting and kneeling at prayers prohibited at this season, as on the Lord's day.

During this season likewise they generally prohibited all fasting, and kneeling at prayers, as on the Lord's day, because at this time they more especially celebrated with joy the memorial of our Saviour's resurrection. This is plain from those words of Tertullian,[13] We count it unlawful to fast, or to worship kneeling, on the Lord's day; and we enjoy the same immunity from Easter to Pentecost. Epiphanius[14] says the same, That though the ascetics of the church fasted on the stationary days, that is, Wednesdays and Fridays, or other times, yet they neither fasted nor kneeled on the Lord's day, or the whole fifty days of Pentecost. And this custom about kneeling was made a standing rule by the council of Nice: For whereas, say they,[15] there are some who kneel on the Lord's day, and the fifty days of Pentecost; that a uniform way of worship may be observed in all churches, it seems good to the holy synod, that prayer be made to God standing. Yet all churches did not exactly conform to this rule, nor observe these customs so precisely in Pentecost, as they did on the Lord's day. For St. Austin says,[16] He was not certain that these things were in use in all churches either in Pentecost or the Lord's day. And Cassian[17] says more expressly, That in the monasteries of Syria they had no great regard to this rule, which forbade kneeling at prayers, or fasting in Pentecost, though their neighbours the Egyptians were very precise and punctual in the observation of both those customs: which made him more curious to inquire into the ground and reason of these observations: and their answer was, That[18] this festival being kept in honour and memory of our Saviour's resurrection, it was a time of more than ordinary joy; and fasting and kneeling were incongruous at such a season, because they were indications of deep mourning, and a more than ordinary repentance: therefore they neither fasted nor prayed kneeling on these days, or the Lord's day, but sung praises and hallelujahs to God in honour and thankfulness for our Saviour's resurrection. This custom of singing hallelujah, in many churches, was peculiar to this season; but in some churches it was used upon other occasions. Of which the reader may find a full account in a former Book,[19] where we treat of the psalmody of the church.

Sect. 4. And all public games and stage-plays; but not pleading at law forbidden, or bodily labour.

To proceed with the present festival, we may observe further, that it was of so great esteem and veneration, that Theodosius junior, a pious prince, thought it proper to forbid all public games and diversions, as well of the theatre as the cirque, during this whole season; because this was a time of more solemn worship, when the minds of Christians ought to be wholly employed in the service of God, and commemorating of those wonderful miracles that were wrought in confirmation of the gospel by the hand of the apostles, as he words it in his law[20] made for this purpose.

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[7] Chrys. Hom. 63. Cur in Pentecoste Acta legantur, t. 5. p. 949.

[8] Ibid. Hom. 33. in Gen. p. 478. Hom. 47. t. 5. p. 637. Hom. 48. in Inscript. Altaris, t. 5. p. 650.

[9] Aug. Tract. 6. in Joan. t. 9. p. 24. Hom. 83. de Diversis.

[10] Cassian. Institut. lib. 2. cap. 6.

[11] Conc. Tolet. 4. can. 16.

[12] Book XIV. chap. 3. sect. 3.

[13] Tertul. de Coron. Mil. cap. 3. Die Dominico jejunium nefas ducimus, vel de geniculis adorare. Eadem immunitate a die Paschæ in Pentecosten usque gaudemus.

[14] Epiphan. Expos. Fid. n. 22.

[15] Conc. Nic. can. 20.

[16] Aug. Ep. 119. ad Januar. cap. 17. Ut autem stantes in illis diebus, et omnibus Dominicis oremus, utrum ubique servetur ignoro.

[17] Cassian. Collat. 21. cap. 11. Cœpimus diligentius percontari, cur apud Ægyptios tanta observantia caveretur, ne quis penitus totis Quinquagesimæ diebus vel genua in oratione curvaret, vel usque ad horam nonam jejunare præsumeret: eoque id diligentius perscrutabamur, quod nequaquam hoc tanta cautione servari in Syriæ monasteriis videramus.

[18] Ibid. cap. 20. Ideo in ipsis diebus nec genua in oratione curvantur, quia inflexio genuum velut pœnitentiæ ac luctus indicium.

[19] Book XIV. chap. 2. sect. 4.

[20] Cod. Theod. lib. 15. Tit. 5. de Spectaculis, Leg. 5.

But business of law and administration of justice was a more necessary thing than sports and pastimes; and therefore there was no cessation of those enjoined at this season, but only in the first week after Easter, which was reckoned into the Paschal festival. As soon as this was over, the law was open again, and all actions commenced afresh, as at other times, which is evident from that discourse of St. Austin, which he preached on the octaves of Easter, or *Dominica in albis*, where he says,[21] The days of vacation are now past, and those of convening, exactions, and law-suits succeed in their room. So that in this respect the remainder of these fifty days was inferior to the other great festivals: but this was the only thing in which there appears to be any distinction or difference in law made between them. And in regard to ecclesiastical affairs, they were observed with almost the same religious solemnity as the other festivals, as appears from what has now been said upon them: only some learned men make a just remark, that the observation of this solemnity did not oblige men, especially those of the poorer sort, to a strict abstinence from bodily labour. For this was a rule only for the Lord's day, and some of the greater festivals; as appears from the author of the Constitutions, who, speaking[22] of the days on which servants were to rest from their labour, mentions the Lord's day, and the sabbath, and the Nativity of Christ, and Epiphany, and the great week in Lent, and Easter-week, and Ascension-day, and Pentecost, as it signifies the particular day of the descent of the Holy Ghost upon the apostles, but says nothing of Pentecost in the larger acceptation, as it signifies the whole fifty days between Easter and Whitsuntide. The council of Eliberis[23] has a pretty severe canon against some who kept Pentecost at a wrong season, not fifty, but forty days after Easter: but it does not clearly appear, that they intended the whole fifty days should be observed, but only the particular day of Pentecost at its proper season. Or if they intended more, yet Albaspinæus[24] thinks they made no rule about keeping these days as days of perfect vacation from bodily labour, but only days of relaxation from fasting and kneeling, and days of public joy and thanksgiving, and holding religious assemblies for prayer and receiving the eucharist, which probably was administered every day during this whole season. And in these things consisted the observation of Pentecost in this larger acceptation.

Sect. 5. Of Ascension-day, its antiquity and observation.

In the course of this long-continued festival of Pentecost, we are to take more special notice of one particular day, before we come to Whit Sunday: that is, of the feast of our Saviour's ascension or assumption into heaven. The observation of this festival was so ancient, that St. Austin could derive its original from no other fountain, but either apostolical institution, or the general agreement of the church in some plenary council: For those things, says he,[25] which are received and observed over all the world, not as written in Scripture, but as handed down to us by tradition, we conceive to be either instituted by the apostles themselves, or some numerous councils, whose authority is of very great use in the church. Such are the anniversary solemnities of our Saviour's passion, and resurrection, and ascension into heaven, and the coming of the Holy Ghost from heaven. It is certain, therefore, the feast of Ascension was generally observed all over the church long before St. Austin's time. Chrysostom often speaks of it under the name of 'Ανάληψις, or our Lord's assumption into heaven. For not to mention those two sermons in Sir H. Savil's edition[26] upon the Ascension, which are reckoned spurious, he has one upon the Assumption,[27] the credit of which was never called in question, wherein he styles this festival the illustrious and refulgent day of our Lord's assumption into heaven. And in another homily[28] upon Whit Sunday, recounting the great solemnities that had just gone before, he says, We have lately celebrated our Saviour's passion, his resurrection, and then his *ἄνοδον εἰς οὐρανὸν*, his return into heaven, that is, the feast of his Ascension. In like manner, the Author of the Constitutions[29] puts Ascension-day into the number of the great Christian festivals, because on this day our Saviour's economy on earth was completed. Among the Cappadocians, the day was called *Episozomene;* for so Leo Allatius[30] tells us he found it noted in a manuscript of Gregory Nyssen's works. And one of Chrysostom's homilies[31] is said to be preached Κυριακῇ σωζομένης, or ἐπισωζομένης, which the curators of Sir. H. Savil's edition take to be *Dominica in albis*, or the Sunday after Easter; but Suicerus[32]

[21] Aug. Serm. 19. ex editis a Sirmondo, t. 10. p. 811.

[22] Constitut. lib. 8. cap. 33.

[23] Conc. Eliber. can. 43. Pravam institutionem emendari placuit, juxta auctoritatem Scripturarum, ut cuncti diem Pentecostes post Pascha celebremus, non Quadragesimam, sed Quinquagesimam. Qui non fecerit, novam hæresim induxisse notetur.

[24] Albasp. in loc.

[25] Aug. Ep. 118. ad Januarium. Illa quæ non scripta, sed tradita custodimus, quæ quidem toto terrarum orbe observantur, datur intelligi, vel ab ipsis apostolis, vel plenariis conciliis, quorum in ecclesia saluberrima auctoritas, commendata atque statuta retineri. Sicut quod Domini passio, et resurrectio, et ascensio in cœlum, et adventus de cœlo Spiritus Sancti, anniversaria solennitate celebrantur.

[26] Chrys. Hom. 63. et 64. t. 7. Edit. Savil.

[27] Ibid. Hom. 35. in Assumpt. t. 5. p. 537. Ed. Paris.

[28] Ibid. Hom. 37. in Pentecost. p. 560.

[29] Constit. lib. 8. cap. 33.

[30] Allat. de Dominicis et Hebdomad. Græcor. n. 28.

[31] Chrys. Hom. 19. ad Pop. Antioch.

[32] Suicer. Thesaur. Eccles. voce 'Επισωζομένη.

and Allatius understand it of the Sunday after Ascension-day, which from thence took its denomination. Why Ascension-day was so called, is not very easy to conjecture. Perhaps it might be, because by our Saviour's assumption into heaven again, the whole economy of his incarnation and the world's redemption was now completed, as the author of the Constitutions words it. And Chrysostom,[33] much after the same manner, says, On this day God and man were reconciled together; on this day that ancient enmity was destroyed, and that long war ended; on this day an admirable and unexpected peace was restored to us. After God in his anger had destroyed man and beast from off the earth by a universal deluge, we that were unworthy of the earth, were this day exalted to heaven; we that were not worthy to reign below, were advanced to a kingdom above: we ascended above the heavens, and took possession of a royal throne; and that nature of ours, against which the cherubims were set to guard paradise, was this day set above the cherubims. He means, that Christ, as the first-fruits of our nature in perfection, was exalted unto heaven; and all his members in some measure now partake of that glory, and hope in due time to meet him in the clouds, and to be translated to the same place whither their forerunner is gone before them. This is the best account I can give at present of the name *Episozomene*, and the application of it to the celebrated festival of our Saviour's ascension or assumption into heaven. I need not stand now to inquire into the manner of its observation. For being in the midst of Pentecost, it certainly had all the solemnity that belonged to that festival, and never passed without a proper discourse, to excite men to elevate their souls, and ascend with Christ in heart and mind to heaven, in hopes of obtaining it as their proper mansion both for body and soul hereafter to all eternity. But as for any such ridiculous pageantry, as has been used in some places to represent Christ's ascension in the church, by drawing up an image of Christ to the roof of the church, and then casting down the image of Satan in flames, to represent his falling as lightning from heaven, with abundance more of the same kind, (which the curious reader may find described by Hospinian[34] out of Naogeorgus,) the ancient church was wholly a stranger to it: this being the invention of later ages, when superstitious ceremonies had debased religion into sport and ridicule, and made the great things of God's law look more like ludicrous pomp and comedy, than venerable mysteries of the Christian faith. But I return to the ancient church.

Sect. 6. Of Pentecost in the stricter sense, as denoting the festival of the descent of the Holy Ghost upon the apostles.

The conclusion of this great festival season was Pentecost, taken in the stricter sense for that particular day commonly called Whit Sunday, or Pentecost, when they commemorated the descent of the Holy Ghost upon the apostles, which, happening upon the day which the Jews called Pentecost, or the fiftieth day after the passover, (a day of great note among the Jews, both for the memorial of the law delivered at Mount Sinai, and also for the gathering and bringing in of their harvest,) it retained the same name of Pentecost among the Christians, though they kept it not as a Jewish feast, but only as a commemoration of the glorious effusion of the Spirit in the gift of tongues and other miraculous powers, made at this time upon the disciples. Hence it had also the name of ἡμέρα Πνεύματος, the day of the Holy Ghost, as we find in Nazianzen[35] and others. And some learned men[36] think it was hence called Whit Sunday, partly because of those vast diffusions of light and knowledge which upon this day were shed upon the apostles, in order to the enlightening of the world, but principally because, this being one of the stated times of baptism in the ancient church, they who were baptized put on white garments, in token of that pure and innocent course of life they had now engaged in. The original of this feast is by some carried as high as the apostles. Epiphanius[37] was of opinion that St. Paul meant it in those words, when he said, "he hastened to be at Jerusalem on the day of Pentecost," Acts xx. 16. But because interpreters generally take that in another sense, we will lay no stress upon it. However, it is certain this feast was observed in the time of Origen, for he speaks of it in his books[38] against Celsus; as does also Tertullian[39] before him, and Irenæus before them both, in his book concerning Easter, as the author of the Questions under the name of Justin Martyr informs us, where, speaking of the custom of standing at prayers on the Lord's day and Pentecost, he says,[40] This custom obtained from the days of the apostles, as Irenæus, bishop of Lyons and Martyr, testifies in his book of Easter, where he also makes mention of Pentecost, in which we kneel not, because it is equivalent to the Lord's day, being a symbol of the Lord's resurrection. St. Austin[41] says, The law was written by the finger of God,

[33] Chrys. Hom. 35. in Ascens. t. 5. p. 535 et 536.
[34] Hospin. de Festis Christian. p. 72.
[35] Naz. Orat. 44. de Pentecost. t. 1. p. 712.
[36] Cave, Prim. Christ. par. 1. cap. 7. p. 192.
[37] Epiph. Hær. 75. Aerian. n. 6.
[38] Orig. cont. Cels. lib. 8. p. 392. [39] Tert. de Idol. c. 14.
[40] Justin. Quæst. et Respons. ad Orthodox. qu. 115.

[41] Aug. cont. Faust. lib. 32. cap. 12. Pentecosten, id est, a passione et resurrectione quinquagesimum diem celebramus, quo nobis Sanctum Spiritum Paracletum, quem promiserat, misit: quod futurum etiam per Judæorum Pascha significatum est, cum quinquagesimo die post celebrationem ovis occisæ, Moyses digito Dei scriptam legem accepit in monte, &c.

and given to Moses on this day; and that was a type of the Holy Ghost, called the finger of God in the gospel, which Christ promised to his disciples as a Comforter, and sent to them on the fiftieth day after his passion and resurrection. And all such eminent facts as were done upon certain days, were annually celebrated in the church, that the anniversary feast might preserve the useful and necessary memorial of them. This festival of Pentecost in particular was observed the whole week after till the octaves, or Sunday following, without fasting or kneeling, and then the church returned to her usual stationary fasts on Wednesdays and Fridays; and in some places a strict fast all the week succeeded this festival, as we learn from the second synod of Tours:[42] but this was a new institution, as was also the Rogation fast for three days in Ascension-week; of which more hereafter in their proper place.

CHAPTER VII.

OF THE FESTIVALS OF THE APOSTLES AND MARTYRS.

Sect. 1. The original of the festivals of martyrs.

WE have hitherto considered those festivals which peculiarly related to our Lord's economy on earth, and were observed over the whole church as memorials of the great acts of his life and death: but besides these there were another sort of festivals instituted by the church in honour of the apostles and martyrs, by whose actions and sufferings Christianity was chiefly propagated and maintained in the world. The first original of these festivals is not certainly known, but learned men[1] commonly carry it as high as the second century. And there is plain evidence for this; for they are not only frequently spoken of in Cyprian and Tertullian, but long before in the epistle of the church of Smyrna to the church of Philomelium, recorded by Eusebius,[2] where, speaking of the martyrdom of Polycarp their bishop, who suffered about the year 168, they tell their brethren, that they intended, by God's permission, to meet at his tomb, and celebrate his birthday, meaning the day of his martyrdom, with joy and gladness, as well for the memory of the sufferer, as for example to posterity.

Sect. 2. Why called their *natalitia* or birthday.

Where we may observe their peculiar phrase in styling the day of his martyrdom his birthday: which was according to the usual style of the church in this affair; for so Tertullian[3] and others use the words *natalitia* and *natales*, meaning not their natural birth, but their nativity to a glorious crown in the kingdom of heaven. I have noted before,[4] in speaking of the civil festivals, that the *natales* or birthdays of the emperors often signifies not their natural, but political birthday, or the day of their inauguration to the imperial crown: and so it was with the church; whenever she spake of the nativities of her martyrs, she meant not the day of their natural birth, but the day wherein by suffering death they were born again to a new life, and solemnly inaugurated to a celestial kingdom and a crown of endless glory. To this purpose, Peter Chrysologus bids his auditors, when they hear of the birthday of a saint, not to imagine that it means the day of his carnal birth on earth,[5] but the day on which he was born from earth to heaven, from labour to rest, from torments to delight and pleasure. In this sense, Tertullian[6] says, St. Paul was born again by a new nativity at Rome, because he suffered martyrdom there. In like manner Prudentius[7] says, A martyr's birthday is the day of his passion. And Chrysostom[8] gives the reason of this, because the death of a martyr is not properly a death, but an endless life; for the sake of which, all things were to be endured, and death itself to be despised. Upon this account the ancient author under the name of Origen[9] says, When they celebrated the memorials of those holy men, they kept not their first nativity, as being the inlet to sorrow and temptation; but the day of their death, as the period of their miseries, and that which sets them beyond the reach of temptations. We celebrate the day of their death, because they die not, even when they seem to die.

Sect. 3. These festivals usually kept at the graves of the martyrs.

Now, these solemnities were usually celebrated at the graves or monuments of the martyrs, which, according to the custom of burying in those times, were commonly without the cities in large *cryptæ* under-ground; where, in times of persecution, the

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[42] Conc. Turon. 2. can. 18. De Pascha usque Quinquagesimam, exceptis Rogationibus, omni die prandium præparetur. Post Quinquagesimam tota hebdomada exacte jejunetur.

[1] Hospin. de Festis Christian. cap. 4. p. 14. Cave, Prim. Christ. par. 1. cap. 7. p. 198.

[2] Euseb. lib. 4. cap. 15.

[3] Tertull. de Cor. Mil. cap. 3. Oblationes pro defunctis, pro natalitiis, annua die facimus. Conc. Laod. can. 51. Μαρτύρων γενέθλια. Ambros. Hom. 70. Depositionis dies natalis dicitur, &c.

[4] Chap. 1. sect. 4.

[5] Chrysol. Serm. 129. Natalem sanctorum cum auditis, carissimi, nolite putare illum dici, quo nascuntur in terram de carne, sed de terra in cœlum, de labore ad requiem, de cruciatibus ad delicias, &c.

[6] Tertul. Scorpiac. cont. Gnosticos, cap. 15.

[7] Prudent. Hymn. 11. de Hippolyto. Natalemque diem passio festa refert.

[8] Chrys. Hom. 43. de Romano Martyre, t. 1. p. 577.

[9] Orig. in Job, lib. 3. t. 1. p. 437. Vid. Euseb. Emisen. Serm. de Natali S. Genesii.

Christians were often used to meet for safety, when they could not enjoy their churches. And in after ages churches were built over these graves, which were therefore called *martyria, areæ, cæmeteria, mensæ et memoriæ martyrum*, as I have showed at large in a former Book.[10] To these places they resorted, whenever they celebrated the memorial of any particular martyr. Which is the reason why, in the ancient panegyrics of the fathers upon particular martyrs, we sometimes hear them speaking of leaving the city churches upon the anniversaries of the martyrs, and going out into the country to the monuments or memorials of the martyrs, to hold assemblies there, where the martyrs lay buried. Thus Chrysostom, in one of his homilies upon the martyrs, says,[11] As before, when the festival of the Maccabees was celebrated, all the country came thronging into the city; so now, when the feast of the martyrs, who lie buried in the country, is celebrated, it was fit the whole city should be transferred thither. And in another homily upon St. Drosis,[12] he says, Though they had spiritual entertainments in the city, yet their going out to the saints afforded them both great profit and pleasure.

Sect. 4. And mostly confined to those particular churches where the martyrs suffered and lay buried.

Whence we may observe, that those festivals at first were not general festivals, like those of our Lord, observed over the whole church, but chiefly celebrated in those particular churches where the martyrs suffered and lay buried; as the festival of Polycarp was chiefly celebrated at Smyrna, and that of Cyprian at Carthage, at the places where they were bishops, and suffered martyrdom: this being most for the edification of the people, to have the examples of their own martyrs, who lived and died among them, proposed to their imitation. And this is confirmed by a peculiar remark made by Sozomen[13] upon the two churches of Gaza and Constantia, in Palestine, that though they were not above twenty furlongs distant from one another, yet they had each of them their own bishop and clergy, and distinct festivals of their own particular martyrs, *ἰδίαι πανηγύρεις μαρτύρων*. To this purpose it was customary for every church to have her own *fasti* or calendar of martyrs, and public notaries to take the account of what was said and done to or by the martyrs at their passions; out of which, general martyrologies were made by men in after ages, collecting all these particular accounts into one body, which Valesius[14] and Pagi[15] own to be the first original of the Roman and all other martyrologies, which are not so ancient as the calendars. For such calendars and public acts were originally kept in every church, to preserve the memorial of their martyrs. As is evident from Tertullian,[16] who speaks of the church's having her *census* and *fasti*, that is, as Rigaltius and others well explain it, her rolls or accounts both of her expenses on the poor, and the acts or passions of her martyrs. To which Cyprian also plainly refers,[17] when being in exile he sent to his clergy to be careful in setting down the days on which the martyrs suffered, that there might be an anniversary commemoration made of them.

Sect. 5. Usual to read the acts or passions of the martyrs on their proper festivals.

These acts or passions of the martyrs, when they were carefully taken and preserved genuine without corruption, were commonly read in the church upon the anniversary commemoration and proper festival of the martyr. The third council of Carthage, which forbids all other books to be read in the church besides the canonical Scripture, excepts the passions of the martyrs,[18] as books that might be read on their anniversary days of commemoration. St. Austin, and Pope Leo, and Gelasius often mention the reading of such histories in the African and Roman churches. Cæsarius Arelatensis, and Alcimus Avitus, and Ferreolus speak of the same in the French churches. And some think, not improbably, that such sort of histories and passions of the martyrs had particularly the name of *legenda*, legends, upon this account, because they were used to be read in the church on the festivals of martyrs: but the fabulous writers of lives, such as the author of the Golden Legend, and other monkish impostors, have since written the lives of saints and martyrs in such a scandalous manner, as to alter the signification of the good old word, and make a legend pass for a romantic fiction, and mere imposture. Of which, learned men, even in the Romish church, such as Ludovicus Vives, and Melchior Canus, and Papebrochius,[19] and Pagi,[20] have made frequent and just complaints; confessing, that even their Breviaries and Passionals are often filled with such monstrous fables, as would make a wise man blush to hear or read them in the public offices of the church; and which they desire heartily to see perfectly reformed. Particularly Pagi exposes the fiction of Ursula[21] and her

[10] Book VIII. chap. 1. sect. 9.
[11] Chrys. Hom. 65. de Martyribus, t. 5. p. 972.
[12] Hom. 67. in Drosid. t. 5. p. 989.
[13] Sozom. lib. 5. cap. 3.
[14] Vales. de Martyrologio Romano, ad calcem Eusebii.
[15] Pagi, Critic. in Baron. an. 64. n. 6.
[16] Tertul. de Coron. Mil. cap. 13. Habes tuos census, tuos fastos, &c
[17] Cypr. Ep. 37. al. 12. ad Cler. p. 27. Denique et dies eorum, quibus excedunt, annotate, ut celebrentur hic a nobis oblationes et sacrificia ob commemorationes eorum.
[18] Conc. Carth. 3. can. 47. Liceat legi passiones martyrum, cum anniversarii eorum dies celebrantur.
[19] Papebroch. Conat. Histor. Chronol. p. 43.
[20] Pagi, Critic. in Baron. an. 302. n. 18 et 19.
[21] Ibid. an. 383. n. 3.

eleven thousand companions, all virgins, said to be martyred at Cologne at one time under Cyricius, a pope that never was in being; and he tells us the Roman Martyrology and Breviary have dropped the number as an incredible fiction; as also did the Cologne editors, and the school of the Sorbon, retaining the name of Ursula, but being ashamed of her eleven thousand companions, notwithstanding that Hermannus Crombak wrote a large volume, called Ursula Vindicata, to defend this monstrous fable. It were easy to give many other such instances, but this one is sufficient to show the difference between the modern Passionals, and the simplicity of those of the ancient church, the reading of which was one part of their solemn exercise upon these festivals.

Sect. 6. And to make panegyrical orations upon them.

To these they commonly added a panegyrical oration or sermon of their own composing, in commendation of the virtues of the martyr, to excite their audience, which was usually very great upon such occasions, to the imitation of them. We have a great many instances of such orations in Chrysostom, Basil, Nazianzen, Nyssen, Austin, Ambrose, Leo, Chrysologus, and others; where the whole design of the orator is so to extol the excellencies of the saint, as to inflame his auditory with the love of his admirable virtues. This was the great end and design of keeping these festivals, and of their meeting together upon such occasions, partly to pay a due respect and honour to the memory of the dead, and partly to engage themselves to imitate such great and brave examples. It is thus the church of Smyrna, in their epistle to the church of Philomelium,[22] tell their brethren, they intended annually to meet at Polycarp's tomb, and celebrate his birthday with joy and gladness, as well for the memory of the sufferer, as for example to posterity; but as for any other honour of religious worship, (which their enemies the Jews suggested they would be inclined to give him,) they declared they had no such intention; for they could never be induced either to forsake Christ, who suffered for the salvation of the whole world, or to worship any other. Him, as being the Son of God, we worship and adore; but the martyrs, as the disciples and followers of the Lord, we love with a deserved affection, for their exceeding great love toward their own King and Master; desiring to be made partners and fellow disciples with them. In like manner St. Austin says, Our religion consists not in the worship of dead men; because if they lived piously, they are not esteemed such as would desire that kind of honour; but would have him to be worshipped by us, through whose illumination they rejoice to have us partners with them in their merit. They are therefore to be honoured[23] for their imitable and worthy examples, not to be worshipped for religion. So again, in answer to the calumny of the Manichees,[24] who made no conscience of falsely accusing the catholics of giving them Divine honour and adoration, he says, We celebrate the memories of the martyrs with religious solemnity, to excite ourselves to their imitation, and to become partners in their merits, and to have the benefit of their prayers: yet so, as that we never offer any sacrifice to a martyr, but only to the God of the martyrs. For what priest, standing at the altar in the places where the holy bodies lie, ever said, We offer unto thee, Peter, or Paul, or Cyprian? But whatever is offered, is offered unto God that crowned the martyrs, at the memorials or graves of those whom he crowned, that the very places may admonish us of our duty, and raise our affection, and quicken our love both toward them, whom we may imitate, and toward Him who enables us to imitate them. Imitation, we see, was the great thing designed by these festivals, and all the eloquent discourses that were made upon the martyrs: they were not so much intended to be panegyrics and praises of the martyrs, who were above them and needed them not, as to be flaming and warm engagements upon the audience, to induce them to imitate the glorious actions and virtues of the martyrs. Thus Chrysostom expressly tells his auditory, beginning one of these panegyrics with these[25] words: Blessed Barlaam hath called us together to this holy festival and great solemnity; not to praise him, but to imitate him; not to be hearers of his encomium, but to be followers of his worthy actions. For then the martyrs are chiefly sensible of honour done to themselves, when they see their fellow servants made partakers of their own goodness. Therefore if any one would praise the martyrs, let him imitate the martyrs: if any one would give the champions of religion their just encomium, let him emulate their labours. This will bring no less pleasure to the martyrs than their own virtues. And he closes the same discourse with this exhortation: Thou art a soldier of Christ, beloved, put on thy armour, and mind not thy dress: thou art a generous combatant, quit thyself like a man, and regard not external comeliness. So shall we imitate these holy men: so shall we honour these valiant warriors, these crowned champions, these friends of God. It were easy to cite hundreds of passages out of Chrysostom and other ancient writers to the same purpose. For this was the great drift of all their panegyrics and discourses upon these festivals, to assure men, that to copy after the example of the martyrs was the greatest

[22] Ap. Euseb. lib. 4. cap. 15.

[23] Aug. de Vera Relig. cap. 55. Honorandi sunt ergo propter imitationem, non adorandi propter religionem.

[24] Aug. cont. Faust. lib. 20. cap. 21.

[25] Chrys. Hom. 73. de Barlaam Martyr. t. 1. p. 886.

honour they could show to these renowned champions of the Christian faith. And it always had its proper effects upon men's minds. For as, in times of persecution, Tertullian[26] told the heathen, That the blood of the martyrs was the seed of the church; and the more they were cut down, the more they grew; the exquisite cruelty that was used to destroy them, did only allure greater numbers to come over to their party. So Chrysostom[27] afterwards assures us, That the very memory of the martyrs wrought wonderful effects upon the minds of men: it confirmed them against the assaults of wicked spirits, it delivered them from impure and absurd thoughts, and set their minds in great tranquillity. The death of the martyrs[28] was still an exhortation to Christians, the support of the church, the confirmation of Christianity, the destruction of death, the demonstration of the resurrection, the reproach of devils, the condemnation of Satan, the doctrine of philosophy, an exhortation to despise the things of this world, and the way to lead men to the desire of a better; a comfort to men in affliction, a motive to patience, an engagement to fortitude, and, in a word, the root and fountain and mother of all that is good. When you see the martyrs[29] despise life, though you be the most stupid and negligent of all creatures, you cannot but entertain sublime and exalted thoughts, contemning pleasures, despising riches, and desiring to have your conversation in heaven. If you languish under a disease, the passions of the martyrs will afford you one of the strongest arguments to engage you to patience; if you are oppressed with poverty, or any other evils, cast but your eye to the bitterness of the torments which they endured, and you have a present consolation and remedy for all the troubles that can befall you. For this reason I love above all things the commemorations of the martyrs; I love and embrace them all, but especially those wherein we commemorate the martyrdom of women (such as Drosis, about whom he was now speaking): because, by how much they are the weaker vessel, by so much greater is their grace, their trophy more illustrious, their victory more glorious, not only for the weakness of their sex, but because the enemy of human nature is overcome by that, by which it was first vanquished. For by a virgin the devil first slew Adam, and by a virgin afterwards Christ overcame the devil; and that very sword, which was sharpened against us, cut off the head of the dragon. He often repeats this famed aphorism, That the honour of the martyrs[30] is to imitate their fortitude and virtue; and as frequently inculcates Tertullian's observation, That the blood of the martyrs waters the beautiful[31] plants of the church. For as plants grow the more for being watered, so the faith flourishes the more[32] for being opposed; and the more it is persecuted, the more it grows: nor does water make a garden more fertile, than the blood of the martyrs does the church. For this reason the ancients strained all their eloquence to set off the constancy and gallantry of the martyrs on their proper festivals, that hereby they might induce their hearers to copy after such great and brave examples.

Sect. 7. The communion always administered upon these days.

And because, as Chrysostom[33] observes, the blood of Christ, which he first shed for the martyrs themselves, was the great thing that animated so many thousands to lay down their lives with joy and alacrity for his sake, that they might communicate in his sufferings, and be made conformable to his death: therefore these festivals of the martyrs never passed without a general communion of the whole church, partaking of the blessed symbols of Christ's body and blood, the oblation of which was always celebrated upon these occasions. This we learn from the same St. Chrysostom, who dissuading his people from intemperance upon one of these solemnities, bids them consider[34] how absurd it was after such a meeting, after a whole night's vigil, after hearing the Holy Scriptures, after participating of the Divine mysteries, after such a spiritual repast, for a man or woman to be found spending whole days in a tavern. The foundation of his argument is laid upon this supposition, that they had received the eucharist in the church before, in celebrating the memorial of the martyrs. And so Sidonius Apollinaris represents the matter, when, speaking of the festival of St. Justus, one of their proper martyrs at Lyons, he says,[35] That after they had kept his vigil the night preceding, they assembled again by day at nine in the morning, when the priests did *rem divinam facere*, offer the oblation, or consecrate the eucharist, as Savaro rightly expounds it.

Sect. 8. And herein a particular commemoration of the martyrs was made, called the oblation or sacrifice of praise and thanksgiving to God for them, and prayer for a general consummation and happy resurrection.

And at this time particularly they made a more solemn commemoration of the martyrs in the oblation of the eucharist; which being a sacrifice of praise and thanksgiving to God for the example of their noble courage and sufferings on the behalf of religion, it was therefore commonly styled the oblation

[26] Tertul. Apol. cap. 50. Nec quicquam tamen proficit exquisitior quæque crudelitas vestra: illecebra est magis sectæ: plures efficimur, quoties metimur a vobis; semen est sanguis Christianorum. It. ad Scapul. cap. 5. Hanc sectam tunc magis ædificari scias, cum cædi videtur.

[27] Chrys. Hom. 20. t. 5. p. 290.

[28] Hom. 67. de S. Droside, t. 5. p. 991.

[29] Ibid. p. 994.

[30] Hom. 47. in Julian. Martyr. t. 1. p. 611.

[31] Hom. 74. de Martyrib. t. 1. p. 898.

[32] Hom. 40. in Juventin. et Maximum, t. 1. p. 547.

[33] Hom. 74. de Martyr. t. 1. p. 899.

[34] Hom. 59. de Martyr. t. 5. p. 779.

[35] Sidon. lib. 5. Ep. 17

or sacrifice made for the nativities of the martyrs. Thus we find it in Tertullian,[36] We make oblations for the dead, for their birthdays, or new birth unto heaven and happiness, on their anniversary commemorations. In like manner Cyprian bids his clergy[37] register the days on which any of the confessors suffered death, that commemoration might be made of them among the memorials of the martyrs, and that oblations and sacrifices might be made for them on the solemn days of their commemoration. So again in another epistle,[38] Ye remember how we are used to offer sacrifices for them, as often as we celebrate the passions and days of the martyrs by an anniversary commemoration. There is some little dispute indeed among some of the ancients, what was to be understood by these sacrifices or oblations for the martyrs. St. Austin was of opinion, that they could only mean the sacrifice of praise and thanksgiving to God for their glorious deaths and brave examples. And this no doubt was one part of the sacrifice they speak of: but when he says,[39] That he who prays for a martyr does an injury to the martyr, because martyrs have attained to a sort of perfection in this life, and have no need of the prayers of the church; this is not so consistent with the general practice of the church, which was used to pray for patriarchs, prophets, apostles, and martyrs, as considering them in a state of imperfection still, so long as their bodies continued in the grave; which the apostle himself allows, when he says, "God having provided some better thing for us, that they without us should not be made perfect:" therefore the church may be supposed, by her sacrifices and oblations for martyrs, to understand prayers, as well as praises and thanksgivings, that they and all the faithful might obtain a perfect consummation in bliss by the means of a happy resurrection. And that the church did sometimes thus offer the sacrifice of prayer even for martyrs themselves, I have fully evinced in a former Book,[40] and therefore need say no more of it in this place.

Sect. 9. The night preceding any of these festivals commonly observed as a vigil, with psalmody and prayers.

But we must observe, that for the solemnizing of these festivals of the martyrs, they commonly kept a vigil the night preceding, which they spent, as they did those before the Lord's day and other great festivals, in psalmody, hymns, and prayers till the morning light. This is plain from Chrysostom's exhortation to the people upon one of these festivals: Ye have turned[41] the night into day, διὰ τῶν παννυχίδων τῶν ἱερῶν, by keeping your holy stations all the night: do not now turn the day into night again, by drunkenness and intemperance, and wanton and lascivious songs. In like manner Sidonius Apollinaris,[42] describing the manner of their solemnizing the festival of St. Justus, bishop of Lyons, takes notice not only of the observation of the day, but of the preceding vigil: We met, says he, at the grave of St. Justus; it was a morning procession before day; it was an anniversary solemnity; the confluence of people of both sexes was so great, that the church, though very capacious and surrounded with cloisters, would not contain them. When the service of the vigil was ended, which the monks and clerical singers performed with alternate melody, we separated for some time, but went not far away, as being to meet again at three o'clock, that is, nine in the morning, when the priests were to perform Divine service, that is, the service of the communion, as on a festival. Thus the festivals of the martyrs were always introduced with a vigil, according to the manner of the Lord's day.

Sect. 10. Common entertainments made by the rich for the use of the poor upon these festivals at the graves of the martyrs, till abuses caused them to be laid aside.

It was usual also upon these days, for the rich to make feasts of charity, or common entertainments for the use of the poor at the graves of the martyrs. Some learned men[43] think this may be one meaning of those sacrifices and oblations which are said to be made at the monuments of the martyrs; and others there are,[44] who think this was the only meaning of them; because the word *natalitia*, in propriety, signifies the donations or largesses which men were used to make upon their birthdays, rather than the birthdays themselves. But not to dispute this matter by way of criticism with any, it is certain they had their *συμπόσια*, or feasts of charity, and common banquets, on these days at the graves of the martyrs. The ancient writer under the name of Origen says,[45] On these solemnities they met together, both clergy and people, inviting the poor and needy, and refreshing the widows and the orphans; that so their festival might not only be a memorial of the happy state of the deceased, but in respect of themselves also an odour of a sweet smell in the sight of God. In like manner, Constantine says,[46] Sober feasts were made by many for the relief of the poor, and such as stood in need of their assistance. So

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[36] Tertul. de Coron. Mil. cap. 3. Oblationes pro defunctis, pro natalitiis, annua die facimus.

[37] Cypr. Ep. 37. al. 12. p. 27. Denique et dies eorum quibus excedunt annotate, ut commemorationes eorum inter memorias martyrum celebrare possimus. ——— Et celebrentur hic a nobis oblationes et sacrificia ob commemorationes eorum.

[38] Ep. 34. al. 39. p. 77. Sacrificia pro eis semper, ut meminis stis, offerimus, quoties martyrum passiones et dies anniversaria commemoratione celebramus.

[39] Aug. Ser. 17. de Verbis Apostoli, t. 10. p. 132.

[40] Book XV. chap. 3. sect. 16.

[41] Chrys. Hom. 59. de Martyr. t. 5. p. 779.

[42] Sidon. lib. 5. Ep. 17.

[43] Cave, Prim. Christ. part 1. chap. 1. p. 204.

[44] Hospin. de Festis, cap. 3. p. 10. Junius, Not. in Tertul. de Coron. Mil. cap. 3.

[45] Orig. in Job, lib. 3. p. 437.

[46] Const. Orat. ad Sanctos, cap. 12.

Chrysostom,[47] dissuading his people from running to the diabolical entertainments that were used to be made at Daphne, one of the suburbs of Antioch, tells them, If they desired a corporeal as well as a spiritual table upon any of these festivals, they might, as soon as the assembly was done, recreate and feast their bodies under a vine or fig tree near the monument of the martyr, and thereby secure their conscience from condemnation. For the very sight of the martyr, being near them, and as it were standing by their table, would not suffer their pleasure to run out into excess and degenerate into sin; but as a good father or a master, being looked upon with the eye of faith, would restrain all ridiculous mirth, and cut off all indecent pleasures, and take away all lascivious motions of the flesh, which could not be avoided if they went to the vain pomps of Daphne, where the devil reigned in the midst of them. It appears from this, that these feasts were then managed with great sobriety and gravity, and chiefly used, as they were originally designed, for the use and benefit of the poor. And as such, they are recommended by Nazianzen,[48] Theodoret,[49] Paulinus,[50] and others, being indeed nothing more than those common feasts of charity, called *agapæ*, and derived from apostolical practice, only now applied to the festivals of the martyrs. But as the best things by the corruptions of men often degenerate into abuses, so it fared with this laudable practice. Some made use of it only as an opportunity of gratifying their covetousness and desires of filthy lucre; others hence took occasion to indulge themselves in revellings and dancings; and some were so vain as to think, that even rioting and drunkenness at such times was for the honour of the martyr. The last of these abuses was so notorious, that the Manichees hence took occasion to rail at the church, and calumniate her as encouraging such abominable practices in her people; which, though it was a malicious slander in respect of the church, which did all she could to discourage such excesses, yet, in respect of the people, the fact was too true, and the charge too well grounded to be denied of them all in general. Therefore St. Austin, in answer to the objection, is forced to own the charge in part as true: I know, says he, [51] there are many who superstitiously worship graves and pictures; I know many that drink luxuriously and excessively over the dead, and when they make a feast for the deceased, bury themselves over those that lie buried in the graves, and after all place their gluttony and drunkenness to the account of religion. But I advise you to leave off railing at the catholic church for this; for in speaking against the morals of such men, you only condemn those whom the church herself condemns, and daily labours to correct them as wicked children. They who make themselves drunk in the memorials of the martyrs,[52] says he again in another place, in answer to the same objection, are so far from having the approbation of the church, that she condemns them for being guilty of that vice in their own private houses: it is one thing that we are commanded to teach, and another thing that we are commanded to correct, and forced to tolerate and endure, till we can amend it. St. Ambrose happily corrected this intemperance at Milan,[53] by prohibiting all such feasts in the church: and St. Austin made use of his example to persuade Aurelius, the primate of Carthage,[54] to use his authority to do the same in the African churches. Upon which Aurelius got a canon made in the third council of Carthage,[55] obliging the clergy to refrain from all such feasting in the church, and as much as in them lay to restrain the people from the same practice. This had been prohibited before by the council of Laodicea,[56] forbidding all feasts of charity, and all eating and spreading of tables in the church: and it was prohibited afterwards by the second council of Orleans,[57] in France, where a general canon was made, That no one should pretend to pay any vow in the church by singing, or drinking, or any loose behaviour whatsoever; because God was rather provoked than appeased by such vows as these. There was another evil custom prevailing in France in the time of King Clodoveus II., about the year 650, when the first council of Chalons was held, which endeavoured[58] by a canon to correct it, viz. That on the festivals of martyrs and dedications of churches, companies of women were used to come before the church, singing filthy and obscene songs, whilst they should have been at Divine service: whom they, therefore, order to be repelled, and if they persisted obstinate in their wickedness, to be prosecuted with the severest censures of the church. St. Basil[59] mentions another abuse of these festivals,

[47] Chrys. Hom. 47. in Sanct. Julian. t. 1. p. 613.

[48] Naz. 10. Carm. de diversis Vitæ generibus, t. 2. p. 80.

[49] Theod. Therapeutic. Serm. 8.

[50] Paulin. Natal. Felicis.

[51] Aug. de Moribus Eccles. Cathol. can. 34. t. 1. p. 331. Novi multos esse sepulchrorum, et picturarum adoratores: novi multos esse qui luxuriosissime super mortuos bibant, et epulas cadaveribus exhibentes, super sepultos seipsos sepeliant, et voracitates ebrietatesque suas deputent religioni.

[52] Aug. cont. Faust. lib. 20. cap. 21. Vid. Ambros. de Elia et Jejunio, cap. 17. Cypr. de Duplici Martyrio, p. 42.

[53] Vid. Aug. Confes. lib. 6. cap. 2.

[54] Aug. Ep. 64. ad Aurel. [55] Conc. Carth. 3. can. 30

[56] Conc. Laodic. can. 28.

[57] Conc. Aurel. 2. can. 12. Ne quis in ecclesia votum suum cantando, bibendo, vel lasciviendo exsolvat: quia Deus talibus votis irritatur potius quam placatur.

[58] Conc. Cabillon. 1. can. 19. Noscitur valde esse indecorum, quod per dedicationes basilicarum, vel festivitates martyrum, ad ipsa solennia confluentes chorus fœmineus turpia quidem et obscœna cantica decantare videntur, dum aut orare debeant, aut clericos psallentes audire, &c.

[59] Basil. Regul. Major. qu. 40.

which was men's keeping markets at these times and places, under colour of making better provision for these feasts: but he smartly rebukes this as a great encroachment upon piety, wholly unbecoming such solemnities, which were designed purely for prayer, and the commemoration of the virtues of holy men, for our encouragement and imitation; and he tells such men, They ought to remember the severity of our Saviour, who whipped the buyers and sellers out of the temple, when, by their marketings and merchandise, they had turned the house of prayer into a den of thieves. There are many other abuses and corruptions which crept into the church at this door in after ages, such as the invocation of saints and martyrs, the worshipping of relics, pilgrimages, and visitings of shrines, and the like superstitious practices, which, as they were utterly unknown or disallowed in the purer ages of the church, so it is none of my business here further to pursue.

Sect. 11. Whether festivals observed in memory of the apostles.

But it may be inquired, whether any particular days were set apart in memory of the apostles and first disciples of Christ? To which I answer, that as many of them as were martyrs, and the time and place of their passion was known, there is no reason to question, but that they had anniversary commemorations among the rest of the martyrs, at least from the time that the festivals of martyrs began to be observed in the church. Thus the martyrdom of St. Peter and St. Paul was observed at Rome, either upon the twenty-ninth of June, or the twenty-second of February: for the day is disputed between Bishop Pearson[60] and Pagi,[61] and I will not pretend to decide the controversy between them. But it is generally agreed, both by the ancients and moderns, that they both suffered martyrdom at the same time in the persecution under Nero, at Rome. This Eusebius[62] shows out of Caius Romanus, Tertullian, Origen, and Dionysius of Corinth; who say, that the one was crucified and the other beheaded; and that their trophies or monuments were the one in the Via Ostiensis, and the other in the Vatican, till Pope Xystus removed them into the catacombs, or subterraneous vaults, as the old Indiculus Depositionis Martyrum calls them, for greater security in the heat of persecution. And here it was, that St. Jerom[63] says, When he was a school-boy at Rome, he often went with others of his companions into the *cryptæ*, or cemeteries, under-ground, to see their sepulchres among the rest of the martyrs. So that it being unquestionable, that St. Peter and St. Paul were crowned with martyrdom at Rome, there is no doubt to be made, but that their festivals were anciently observed there, and elsewhere, as other festivals of the martyrs. And the like may be concluded of all the other apostles who suffered martyrdom in the several countries where they preached the gospel.

Sect. 12. The festival of the Holy Innocents.

Besides these, the ancient church kept a festival in memory of the holy innocents that were slain at our Saviour's birth. The ancient writers never speak of them but under the title of Christian martyrs. Cyprian[64] says, The nativity of Christ begun *a martyriis infantium*, immediately with the martyrdom of those infants, that from two years old and under were slain for his name. That tender age, which was not yet able to fight, was fit to receive a crown. The innocent infants were slain for his name, that it might appear, that they are innocent who are slain for the sake of Christ: and hereby it was showed, that no one is free from the danger of persecution, seeing even such as these were martyred for his sake. To the same purpose St. Hilary[65] says, Bethlehem flowed with the blood of the martyrs, and that they were advanced to eternity by the glory of martyrdom. So St. Austin,[66] These infants died for Christ, not knowing it: their parents bewailed them, dying martyrs: they could not yet speak, and yet for all that they confessed Christ: Christ granted them the honour to die for his name: Christ vouchsafed them the benefit of being washed from original sin in their own blood. In like manner Prudentius, in his poetical way,[67] thus sets forth their praises: Hail, ye flowers of the martyrs, whom the enemies of Christ cut off in your first entrance upon the light, as men do roses when they first appear! Ye proto-victims of Christ, ye tender flock of sacrifices, play innocently with your crowns and garlands before the very altar. St. Chrysostom[68] was of the same mind, when he said, These infants received no harm by their death: it only translated them so much the sooner to the port and haven of rest and tranquillity. And so the author of the Opus Imperfectum, under the name of Chrysostom,[69] speaking of Herod's cruelty, says, He gave all the infants eternal life for the sake of one: meaning, that he made them all martyrs for the sake of Christ, whom he thought to have slain among them. Before all these, Irenæus says, Christ, when he was an infant, made infants martyrs for himself, and

[60] Pearson, Annal. Cyprian. an. 258. p. 63.
[61] Pagi, Critic. in Baron. an. 258. n. 3.
[62] Euseb. lib. 2. cap. 25. lib. 3. cap. 1.
[63] Hieron. Com. in Ezek. cap. 40. p. 636.
[64] Cypr. Ep. 56. al 58. ad Thibaritanos, p. 123.
[65] Hilar. in Mat. can. 1.
[66] Aug. de Symbolo, lib. 3. cap. 4. t. 9. p. 303. It. Ep. 28. ad Hieron. It. de Libero Arbitrio, lib. 3. cap. 23.
[67] Prudent. Cathemerin. Hymn. de Epiphania. Salvete flores martyrum, Quos lucis ipso in limine, Christi insecutor sustulit, Ceu turba nascentes rosas. Vos prima Christi victima, Grex immolatorum tener, Aram ante ipsam simplices Palmis et coronis luditis.
[68] Chrys. Hom. 9. in Mat. p. 23.
[69] Opus Imperfect. in Mat. ii. p. 780. Omnibus vitam æternam præstitit propter unum.

sent them before him into his kingdom.[70] Pope Leo[71] and Fulgentius speak of them in the same style, as infant martyrs and co-partners in the passion of Christ, who suffered martyrdom for him without knowledge or grief.

But Origen goes a little further, and not only calls them the firstfruits of the martyrs, but says[72] their memorial was always celebrated in the churches after the manner or order of the saints, as being the first martyrs that were slain for Christ. And St. Austin says more than once,[73] that the church received them to the honour of her martyrs. Which seems to imply, that some peculiar festival was appointed for their commemoration. But whether this at first was a distinct festival from the Epiphany, or rather kept on the same day, is a matter that may bear some dispute; because Prudentius, Fulgentius, and Leo speak of the innocents only upon this day, and not upon any other occasion.

Sect. 13. The festival of the Maccabees.

But we are further to observe, that anciently they celebrated not only the festivals of the Christian martyrs, but also some of the more eminent martyrs of the Old Testament: such as the seven Maccabees, whose courage in opposing the tyrant Antiochus Epiphanes, and dying for the defence of the Jewish law, seems to have been generally had in remembrance over the whole Christian church in the fourth century, about which time we find abundance of panegyrics made upon them. Chrysostom[74] has three homilies upon this occasion, wherein he speaks of their festival being celebrated at Antioch with more than ordinary concourses of people. St. Austin says[75] the Christians had a church there called by the name of the Maccabees: and he himself has two sermons upon their festival, in which he shows, that they were esteemed in reality Christian martyrs. And hence it appears, that their feast was solemnly observed in the African churches; for he begins his first homily with these words, *Istum diem nobis solennem fecit gloria Maccabæorum*, This day is made a festival to us by the glory of the Maccabees. Gregory Nazianzen has a sermon[76] upon the same occasion, wherein he says, This present festival is kept in memory of the Maccabees, who, though they are not had in so great honour by some, because they strove not for mastery by the grace of Christ, yet they are worthy of all due respect and veneration, because they contended valiantly for the laws of their fathers, and the truth of religion, as then revealed to them. We find the like discourses among those of Gaudentius, bishop of Brixia,[77] and Eusebius Emissenus,[78] and Leo,[79] bishop of Rome. Which manifestly shows, that this was a festival of great note throughout the whole church. And the reason is given by Gregory Nazianzen: Because they were really admirable in their actions, yea, more admirable in one respect than the martyrs that came after Christ. For, says he, if they suffered martyrdom so bravely before Christ's coming, what would they not have done, had they lived after him, and had the death of Christ for their example! For this reason, this festival was particularly celebrated all over the Christian church, but upon what day I am not yet able to inform the reader, save only that the Roman martyrology places it upon the first of August.

Sect. 14. Of the general festival of all the martyrs.

But I must acquaint him with one thing more concerning these festivals of the martyrs: that because the number of them was exceeding great, and every particular church could not observe them all, therefore they chose to have one solemn day for the general commemoration of all the martyrs. This was on a certain day not long after Pentecost or Whit Sunday, as we learn from one of Chrysostom's homilies[80] upon this occasion, where he says, There are not yet seven days past, since we celebrated the great and holy solemnity of Pentecost, and now again a quire, or rather a camp and army of martyrs overtakes us, an army like the camp of angels which appeared to Jacob. This seems therefore to have been either what we now call Trinity Sunday, or some day very near it. For the Greeks called this Κυριακὴ τῶν ἁγίων, The Sunday of all the martyrs, as Leo Allatius[81] shows out of Callistus's Synaxarion and Leo Sapiens, who has an oration upon this day, entitled, Upon all the Holy Martyrs. The name Trinity Sunday is but of modern use: the ancients had no such festival, because every Lord's day was esteemed the feast of the Holy Trinity. Durandus[82] says, Gregory IV., about the year 834, first instituted the festival of the Holy Trinity and that of the angels together. But Potho Prumiensis will not allow it to be so ancient, for he says[83] it began to be used in the monasteries not long before

[70] Iren. lib. 3. cap. 18. Ipse infans cum esset, infantes hominum martyres parans, &c.

[71] Leo, Serm. 7. in Epiphan. p. 33. Fulgent. Hom. 4. de Epiphan. et Innocentibus, p. 541.

[72] Orig. Hom. 3. de Diversis, t. 2. p. 436. Horum memoria semper ut dignum in ecclesiis celebratur, secundum integrum ordinem sanctorum, ut primorum martyrum pro Domino occisorum.

[73] Aug. de Libero Arbitrio, lib. 3. cap. 23. t. 1. p. 29. In honorem martyrum receptos commendat ecclesia. It. Ep. 28. ad Hieronymum.

[74] Chrys. Hom. 44, 49, et 50. t. 1.

[75] Aug. Hom. 109 et 110. de Diversis, t. 10. p. 585.

[76] Naz. Orat. 22. de Maccabæis, t. 1. p. 397.

[77] Gaudent. Serm. 15. de Maccabæis.

[78] Euseb. Emissen. Hom. de iisdem.

[79] Leo, Serm. 82. de Septem Maccabæis, p. 81. Valerian. Hom. 18. de Maccabæis, ibid. p. 749.

[80] Chrys. Hom. 74. de Martyribus totius Orbis, t. 1. p. 895.

[81] Allat. de Hebdom. et Dominicis Græcor. n. 31.

[82] Durand. Rational. lib. 7. cap. 34.

[83] Potho de Statu Domus Dei, lib. 3. ap. Hospin. de Festis, p. 73.

his time, which was about the year 1150. And it appears from a decree of Alexander III., that it was not observed at Rome in his time, anno 1179. For he says,[84] The feast of the Holy Trinity is diversely observed according to the custom of different countries; some keeping it on the octaves of Pentecost, and others on the first Sunday before Advent: but in the Roman church it is not used to be celebrated as any particular festival; for we say every day, "Glory be to the Father, and to the Son, and to the Holy Ghost," and such other things as appertain to the praise of the Trinity. So that Trinity Sunday being wholly unknown to the ancients under that particular name, it is most probable this was the day on which a general commemoration was made of all the martyrs in the world, as St. Chrysostom's homily bears it in the title. For the multitude of martyrs being vastly great, it was impossible that particular days should be assigned to each of them: and therefore every church chiefly celebrated the days of her own martyrs, (which often came once or twice[85] in a week,) and added one solemn day for the commemoration of them all in general: of which I have nothing more particularly to remark, but that the ancients on this day commonly exerted themselves, and showed the utmost of their skill in the art of oratory, (of which many of them were great masters,) in describing the passions, and setting forth the glory of those victories and trophies that were so frequently and so surprisingly acquired by the martyrs. It is a beautiful stroke of Chrysostom's pen in his homily upon this occasion,[86] with which I will end this chapter upon these festivals of the martyrs. The devil, says he, introduced death into the world, but the wisdom of God turned it to our honour and glory; for hereby he opened the way to martyrdom, and made our destruction become the occasion of a crown. The devil designed to ruin us by death, but Christ inverted his design, and makes use of death to introduce us into heaven by martyrdom. Here, as in all other battles, there were armies engaged on both sides, the martyrs on the one side, and tyrants on the other. The tyrants were armed, and the martyrs naked; yet they that were naked got the victory, and they that carried arms were vanquished. What an astonishing engagement was this! He that is beaten, proves victor over him that beats him: he that is bound, overcomes him that is at liberty: he that is burnt, tames him that burns him; and he that dies, vanquishes him that puts him to death. These are astonishing things: but it is grace that works these miracles; they are above the strength of nature. Thus the ancients extolled their martyrs, those heroes of Christianity, by just praises and commendations, and endeavoured to provoke others to piety and virtue by their example; which was the great end and design of these holy solemnities and frequent meetings at the memorials of the martyrs.

CHAPTER VIII.

OF SOME OTHER FESTIVALS OF A LATER DATE AND LESSER OBSERVATION.

Sect. 1. Of the *encænia* or feasts of dedications of churches.

BESIDE these festivals, which were of greater antiquity in the church, there were some others added in the fourth and fifth centuries, which either for their novelty, or their more limited observation, were far inferior to the former, and of less esteem in the church. Among these we may reckon the *encænia*, or anniversary feasts kept in memory of the dedication of churches. The first dedication or consecration of churches (which began in the time of Constantine after the demolishing of them in the Diocletian persecution, and rebuilding of them in the peaceable times that succeeded afterwards) has been largely spoken of under another[1] head; here I only take notice of one particular, which properly concerns this place, that is, the anniversary festival, which was sometimes observed in memory of the first dedication of churches. Sozomen[2] gives a famous instance of this in the church of Jerusalem; For, he says, in memory of the dedication of their church which Constantine built to the honour of our Saviour, they were used to keep an anniversary festival, which lasted for eight days together, during which time both they of the church, and all strangers, which flocked thither in abundance, held ecclesiastical assemblies, and met together for Divine service. And from this example the custom was received and propagated in other churches. For Bede[3] says, Gregory the Great, in his letters to Austin and Mellitus, the first Saxon bishops here in England, ordered them to allow the people liberty on their annual feasts of the dedications of their churches to build themselves booths round about the church, and there feast and entertain themselves

[84] Decretal. Gregor. lib. 2. Tit. 9. de Feriis, cap. 2. Festivitas S. Trinitatis, secundum consuetudinem diversarum regionum a quibusdam consuevit in octavis Pentecostes, ab aliis in Dominica prima ante Adventum Domini celebrari. Ecclesia siquidem Romana in usu non habet, quod in aliquo tempore hujusmodi celebret spiritualiter festivitatem, cum singulis diebus, Gloria Patri, et Filio, et Spiritui Sancto, et similia dicantur ad laudem pertinentia Trinitatis. See also Microlog. de Observ. Eccles. cap. 60.

[85] See Chrys. Hom. 40. in Juventinum, t. 1. p. 546. Hom. 65. de Martyr. t. 5. p. 971. Theodor. Serm. 8. de Martyr t. 4. p. 605.

[86] Chrys. Hom. 74. de Martyr. totius Orbis, t. 1. p. 896.

[1] Book VIII. chap. 9. sect. 1, &c.

[2] Sozom. lib. 2. cap. 26.

[3] Bede, Hist. lib. 1. cap. 30.

with eating and drinking, in lieu of their ancient sacrifices while they were heathens. Hospinian[4] says, In the German tongue, these feasts were called *kyrchweiches*, that is, church feasts; whence comes our English name, church wakes, which is of the same importance.

Sect. 2. Of the anniversary festivals of bishops' ordinations.

Another sort of festivals, much of the same nature with the former, were the anniversary solemnities which bishops held in their own churches in memory of their ordination. These are sometimes called *natales episcopi vel episcopatus*, bishops' birthdays, which denote not the days of their natural birth, nor yet the days of their death, as in the former case of martyrs, but the days of their ordination, or nativity to the episcopal office or throne of the church; in like manner, as we have showed before,[5] the *natales imperatorum* often denotes, not their natural birthdays, but the days of their inauguration or advancement to the throne of the empire. That such days were observed as anniversary festivals, I have had occasion once before[6] to show out of several homilies of St. Austin and Pope Leo, which were preached by them upon these occasions. To which I shall here add what St. Austin[7] says also of the Donatists, that they agreed with the church in this practice. For though Optatus Gildonianus, one of their bishops, was a very base man, yet they made no scruple to celebrate his *natalitia*, the anniversary of his ordination, with great solemnity, honouring him with the kiss of peace in the midst of the holy mysteries, and mutually giving and receiving the eucharist from him; which circumstances plainly show, that by his *natalitials*, nothing else can be meant but the anniversary of his ordination, when it was usual for the bishop to invite his neighbouring bishops to join in the solemnity with him, which was observed with reading, psalmody, preaching, praying, and receiving the eucharist, as other solemn festivals. Paulinus likewise[8] takes notice of this particular circumstance, that they were used to invite their fellow bishops to come and celebrate these their spiritual nativities with them; for so, he says, he himself was invited by Anastasius, bishop of Rome, to celebrate his birthday. The like we find in the epistles[9] of St. Ambrose, Pope Hilary, and several others.

Now, the design of these anniversaries was very excellent, to put bishops in mind of the great and weighty burden that was laid upon them, and to be a fresh occasion of recollecting with themselves how faithfully, and conscientiously, and carefully they had discharged the trust committed to them. Thus St. Austin represents the matter[10] in one of his sermons upon this occasion. A bishop, says he, ought to consider every day, and every hour, and with a continual care, what a weighty dispensation is committed to him, and what an account thereof he is to make to his Lord. But when the anniversary day of our ordination returns, then the honour of this office is chiefly reflected on, as if it were then first imposed upon us. But there is this difference, that on the day when we first received the office, we had only to consider how we ought to behave ourselves in it; but every day after, and especially on that day when the solemnity returns, we not only look forward, and with great caution and foresight consider what we ought to do for the time to come; but also look back to what is past, and carefully recollect what we have already done; that we may go on to imitate ourselves, if we have done any thing well; or if otherwise we have done things that are blameworthy, be careful not to repeat them again in time to come. Therefore, on this solemnity of my ordination, I say to those who are my debtors by trespassing against me: If any man becomes my enemy, because I tell him the truth; if I seem troublesome to any, because I give him good advice; if I am forced to offend any man's will, whilst I seek his profit; to these I say, "Be ye not like to horse and mule, which have no understanding." For these creatures chiefly kick and bite those who take care of them, and only touch them gently to cure their wounds. So you and I are at strife one with the other; but the cause makes a distinction. Thou art an enemy to thy physician, I only an enemy to thy disease: thou art an enemy to my diligence, I only to thy pestilential distemper. "They rewarded me evil for good," says the psalmist, "but I give myself unto prayer." What did he pray? "Father, forgive them, for they know not what they do." "Rejoice, and be exceeding glad," says Christ, "when men revile you, and say all manner of evil against you for righteousness' sake: for great is your reward in heaven." But we would have you correct your perverseness, and acknowledge our charity, and render love for love: we would not have our reward augmented by your destruction. Next, I must speak to those to whom I am a debtor. For I am not so vain as to think that I have injured no man since I first took the burden of this office upon me. I

[4] Hospin. de Festis, in Appendice de Encæniis, p. 113.

[5] Book XX. chap. 1. [6] Book IV. chap. 6. sect. 15.

[7] Aug. cont. Literas Petil. lib. 2. cap. 23. Cujus natalitia tanta celebratione frequentabatis, cui pacis osculum inter sacramenta copulabatis, in cujus manibus eucharistiam ponebatis, &c.

[8] Paulin. Ep. 16. ad Delphinum. Nos ipsos ad natalem suum invitare dignatus est.

[9] Ambros. Ep. 5. ad Felic. Episc. Comensem. Tum ego nostris fabulis intexui diem natalis tui. Natalem tuum prosequemur nostris orationibus, &c. Hilar. Ep. 2. ad Tarraconens. Lectis in conventu fratrum, quos natalis mei festivitas congregarat, literis vestris. Conc. t. 4. p. 1036. Sixtus, Ep. ad Joan. Antioch. Conc. t. 3. p. 1261. Anastas. Vit. Adrian. 1.

[10] Aug. Hom. 24. ex 50. t. 10. p. 172.

know my infirmity, and pray to the Lord my God day and night, and beg the assistance of your prayers for the cure of it. If, then, in the hurry and difficulty of various cares, I have at any time been so distracted, as not to hear the petition of him that made suit to me; if I have looked upon any with a sourer countenance than there was occasion for; if I have given any one sharper words than I ought to have done; if I have troubled any one that was in anguish of spirit, and needed my help, by an improper answer; if I have overlooked any poor man importuning me, when I was intent upon some other business, or put him off to another time, or grieved his soul by any sharp sign or intimation; if I have been above measure angry at any one for entertaining any false suspicion of me, as one man is apt to be jealous of another; or if I have humanly suspected any one as guilty of a crime, from which his own conscience could clear him: I beseech all you, to whom I confess myself a debtor for these and the like offences, to believe me to be your debtor. For the tender mother, when she is in great straits, sometimes treads, though not with her whole weight, upon her young whom she cherishes, and yet ceases not to be a mother. Forgive me, that ye may be forgiven: and commend my care for you to the Lord, that he may mercifully pardon my past offences, and guide my way under this burden for the future, so as may be pleasing in his eyes, and profitable for you; that ye may be found my joy and crown, and not my confusion and punishment, at his appearance.

These are pious thoughts and excellent contemplations, flowing with expressions of great humility and charity: and they serve to show us, both what a deep sense the ancients had of the weight and burden of the episcopal office, and also after what manner they entertained their auditories with useful discourses upon these anniversary festivals of their own ordination.

Sect. 3. Of festivals kept in memory of any great deliverances or signal mercies vouchsafed by God to his church.

Another sort of festivals was observed as annual thanksgivings to God for any great favours and blessings vouchsafed by God to his church. Thus Sozomen[11] says, The church of Alexandria kept an anniversary thanksgiving upon the twelfth of the calends of August, that is, the twenty-first of July, for their deliverance from a terrible earthquake and inundation of the sea, in the reign of Julian, which was so great that boats were found upon the tops of houses. In memory of this they kept a festival, which they called *γενέσια σεισμοῦ*, the memorial of the earthquake, which was observed in the time of Sozomen with great solemnity, the people offering eucharistical prayers to God, and setting up lights all over the city for joy. The Constantinopolitans kept such another festival on the twenty-fourth of September, in memory of their deliverance from an earthquake, which is mentioned by Marcellinus Comes,[12] in his Chronicon, as lasting with great violence for eleven days together. Among these we may also reckon their thanksgiving after any signal victories; such as that of Constantine over the tyrant Licinius, whereby the Christians were delivered from the oppression of all their persecutors, and gave God solemn thanks and praise both in city and country for the glorious success of Constantine's arms, and their own deliverance by his victories, as Eusebius[13] more than once declares, in setting forth the great achievements of Constantine for the Christian church. So he that had ordered all possible honour to be done to the martyrs,[14] had himself a share in the panegyrics that were made upon them, and next under God was celebrated as the great supporter of the Christian faith. But these seem not to have been festivals of long continuance, but to have ended their period with the life of the emperor, on whose account they were observed in the church.

Sect. 4. Of the feast of the Annunciation.

But from this time festivals grew and multiplied in the church. Hospinian[15] thinks the feast of the Annunciation was as old as Athanasius, because there is mention made of it in a sermon that goes under his name.[16] Others carry it higher, to the time of Gregory Thaumaturgus, because there is a sermon also attributed to him upon the same subject. But the best critics, Dr. Cave,[17] Du Pin,[18] Hammond L'Estrange,[19] and Rivet,[20] reject both these as spurious writings; and even Bellarmine and Labbé reckon them dubious. They were written by Maximus, or some author after the time that the Monothelite heresy appeared in the world, which was in the seventh century. So the antiquity of this festival cannot be deduced from them. Neither could it be a festival in those times, by the ancient rules of the church, which forbade the celebration of all festivals in Lent, except the sabbath and the Lord's day, as appears from the council of Laodicea.[21] But before the time of the council of Trullo it was come into use. For that council,[22] renewing the foresaid prohibition of Laodicea, makes a further exception in behalf of the Annunciation; forbidding all festivals to be kept in Lent, except the

[11] Sozom. lib. 6. cap. 2. Vid. Ammian. Marcellin. lib. 26. in fine.

[12] Marcel. Chron. Cos. Basilio.

[13] Euseb. Hist. lib. 10. cap. 9. et de Vit. Constant. lib. 2. cap. 19.

[14] Vid. Euseb. de Vit. Const. lib. 4. cap. 23.

[15] Hospin. de Festis.

[16] Athan. Serm. de S. Deipara.

[17] Cave, Hist. Literar. t. 1. p. 146.

[18] Du Pin, Bibliothec. t. 2.

[19] Ham. L'Estrange, Alliance of Div. Offic. cap. 5. p. 148.

[20] Rivet. Critic. Sacr. lib. 3. cap. 5.

[21] Conc. Laodic. can. 51.

[22] Conc Trull. can. 52.

sabbath, and the Lord's day, and the holy Annunciation; which shows that by this time it was become a noted festival: and therefore we may date its original from the seventh century, when we find sermons began to be made upon it.

Sect. 5. Of the festival called *Hypapante*, afterward Purification and Candlemas-day.

Another festival of later date was that which is commonly called the Purification of the Virgin Mary, or Candlemas-day. This, at first, among the Greeks went by the name of *Hypapante*, Ὑπαπαντὴ, which denotes the meeting of the Lord by Simeon in the temple, in commemoration of which occurrence it was first made a festival in the church; some say in the time of Justin the emperor; others, in time of his successor Justinian, anno 542. There is indeed a homily among St. Chrysostom's works,[23] which, if it were genuine, would carry this feast a hundred years higher; for it is upon this festival under this very name of *Hypapante*. But all learned men are agreed that it is none of his. And particularly Leo Allatius[24] cites a passage out of Georgius Hamartolus's Chronicon, which shows that there was no such festival in Chrysostom's time, but that it was first instituted in the reign of Justinian. At this time began the *Hypapante* to be celebrated, says he, which before was not numbered among the festivals of our Lord. For Chrysostom says, the festivals of Christ's economy here upon earth were proportioned to the number of the days of the creation of the world. The first is his nativity in the flesh; the second, Epiphany; the third, the day of his passion; the fourth, the day of his glorious resurrection; the fifth, his assumption into heaven; the sixth, the descent of the Holy Ghost; the seventh, the great day of the general resurrection, which has no succession nor end. For that is an eternal festival, (or perpetual sabbath and rest for the people of God,) to be celebrated with much joy and gladness by those that shall be heirs of such things "as eye hath not seen, nor ear heard, neither have entered into the heart of man to conceive the things that God hath prepared for them that love him." Thus far Georgius Hamartolus out of Chrysostom. And all the historians that come after him agree in the same thing, that this was no festival in the church till the time of Justin, or Justinian. Cedrenus[25] fixes its original to the last year of Justin. But Landulphus Sagax,[26] Siffridus Presbyter,[27] Martin Polonus,[28] Nicephorus,[29] Sigebert,[30] and Paulus Diaconus,[31] cited by Xylander[32] and Suicerus,[33] deduce it only from the reign of Justinian. And Baronius himself[34] does not deny it, only he would have it first instituted in honour of the Virgin Mary, which the very name of *Hypapante* confutes, which signifies the coming of Simeon to meet the Lord in his temple, according to the revelation made to him, that he should not see death till he had seen the Lord's Christ: and the Greeks always reckoned it among those festivals which they called *festa Dominica*, festivals appointed in honour of our Lord, as Leo Allatius himself informs us.

Sect. 6. The original of festivals in honour of confessors and other holy men.

He that would see more of the increase and progress of festivals, may consult Hospinian,[35] who has noted the original of every distinct festival successively as they were instituted in the following ages of the church. I only note, that he allows confessors and other holy men to have had their memorials something earlier than Cardinal Bona himself will allow. For Bona[36] thinks this honour was only paid to martyrs properly so called, and not to confessors, or any other saints, for the four first ages; and he says, that in Fronto's calendar, written about nine hundred years ago, there are not above four saints, that were not martyrs, named throughout the whole year, viz. Pope Sylvester, Pope Leo, Martin of Tours, and Gregory the Great. But Hospinian's observation is more exact; for Sozomen[37] says expressly, that it was customary in Palestine long before to celebrate the anniversary days of such men as had been eminent among them for piety and virtue, such as Hilarion of Gaza, Abrilius of Anthedon, Alexion of Bethagathon, and Alaphion of Asalea, who were no martyrs, but only men of renown for their piety, by whose virtues the Christian religion had made a considerable progress in many heathen cities in the reign of Constantius, for which reason their memory was celebrated in those places with the anniversary festivals. And so Baronius[38] observes out of St. Jerom,[39] that Hilarion himself kept a vigil preceding the day of Antonius's death in commemoration of him. Therefore whatever might be the custom of the Western church, it is plain in the eastern parts the anniversary commemoration of confessors and other eminent saints was introduced a little sooner.

[23] Chrys. t. 6. Hom. 22. de Occursu et Simeone.

[24] Hamartol. Chron. in Vita Justin. ap. Allat. de Hebdomad. Græcor. n. 1. p. 1403.

[25] Cedren. Compend. p. 300.

[26] Landulph. Vit. Justin.

[27] Siffrid. Epitom. Hist. lib. 1.

[28] Poloni Chronic.

[29] Niceph. lib. 17. cap. 28.

[30] Sigebert. an. 542.

[31] Paul. Diac. lib. 16.

[32] Xyland. Not. in Cedren. p. 688.

[33] Suicer. Thesaur. Eccles. t. 2. p. 1374.

[34] Baron. an. 544. t. 7. p. 350.

[35] Hospin. de Festis, cap. 4.

[36] Bona, Rer. Liturg. lib. 1. cap. 15. n. 2. Confessorum festivitates serius receptæ sunt in ecclesia, et in Frontonis calendario ante nongentos annos scripto non nisi quatuor ascripti sunt, Gregorius Magnus, Leo Papa, Martinus Turonensis, et Sylvester.

[37] Sozom. lib. 3. cap. 14.

[38] Baron. an. 358. n. 23.

[39] Hieron. Vit. Hilarion. cap. 26. Confessus est fratribus instare diem dormitionis beati Antonii, et pervigilem noctem in ipso quo defunctus fuerat loco, a se debere celebrari.

BOOK XXI.

OF THE FASTS IN USE IN THE ANCIENT CHURCH.

CHAPTER I.

OF THE QUADRAGESIMAL OR LENT FAST.

Sect. 1. What this fast was originally, forty days or forty hours.

NEXT to the festivals observed in the ancient church, we are to take a view of their solemn and stated times of fasting. These, like the festivals, were some of them weekly, and some annual, that is, such as returned at a certain season only once a year. Among those that came only once a year, the Quadragesimal, or Lent fast, was the most famous. The Greeks called it Τεσσαρακοστὴ, and the Latins *Quadragesima*, both which words denote the number forty, whence this fast for some reason was called Quadragesimal, but whether for its being a fast of forty days, or only forty hours, is variously disputed among learned men. They of the Romish church generally maintain, that it was always a fast of forty days, and that, as such, it was of apostolical institution. And there are some of the protestant communion who are of the same opinion. Others think it was only of ecclesiastical institution, and therefore, as it was variable and alterable by the church's power, so it was variously observed in different churches, and grew by degrees from a fast of forty hours to a fast of forty days, still retaining the name of the Quadragesimal fast under all its variations. This is what Bishop Morton,[1] and Bishop Taylor,[2] and Peter du Moulin,[3] and Daillé,[4] and Chamier,[5] have largely disputed against the Romanists. And even among the papists, some writers of no mean rank, such as Melchior Canus[6] and Cajetan,[7] say it was only such an apostolical rule or custom as left the church at liberty to alter it, as she did some other things, upon just and proper occasions, and to abrogate it by introducing a contrary practice. But this is a question I shall not here debate, but only inquire into matter of fact, by whom this fast was first instituted, and of what duration and length it was when it first began to be observed in the church. Dr. Cave, in his Primitive Christianity, p. 182, says, This fast was very ancient, but far from being an apostolical canon. And he cites Mr. Thorndike of Religious Assemblies, together with Bishop Taylor, for the same opinion.

Sect. 2. Some probability that at first it was only a fast of forty hours, or the two days from the passion to the resurrection.

Now, the reasons persuading learned men to believe that it was not instituted by the apostles, at least not as any necessary rule obliging all men to fast forty days, are these that follow.

1. Because there is some probability that at first it was only a fast of forty hours, or the time that our Saviour lay in the grave, that is, the Friday and Saturday before Easter, the time that Christ the Bridegroom was taken from his disciples between his passion and his resurrection. Tertullian, when he was a Montanist, disputing against the catholics, says,[8] They thought themselves obliged only to observe those two days in which the Bridegroom was taken away from them. This he elsewhere calls[9] the Paschal fast, which all observed in common as a public fast with great religion. And again,[10] objecting to the catholics their observation of other fasts besides the two days in which Christ

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1 Morton, Catholic Appeal, lib. 2. cap. 24. p. 304.

2 Taylor, Duct. Dubitant. book 3. cap. 4. p. 631, &c.

3 Moulin, Novelty of Popery, lib. 7. Controv. 5. cap. 7. p. 516.

4 Dallæ. de Jejun. et Quadrages. lib. 3. cap. 9.

5 Chamier, Panstrat. t. 3. lib. 19. cap. 7.

6 Canus, Loc. Theol. lib. 3. cap. 5.

7 Cajetan was censured by Catharin for this. Vid. Illyricum de Sectis Papisticis, p. 143.

8 Tertul. de Jejun. cap. 2. Certe in evangelio illos dies jejunio determinatos putant, in quibus ablatus est Sponsus; et hos esse jam solos legitimos jejuniorum Christianorum.

9 Tertul. de Orat. cap. 14. Sic et die Paschæ, quo communis et quasi publica jejunii religio est, merito deponimus osculum.

10 Tertul. de Jejun. cap. 13. Convenio vos et præter Pascha jejunantes citra illos dies quibus ablatus est Sponsus; et stationum semijejunia interponentes, et vos interdum pane et aqua victitantes, ut cuique visum est: denique respondetis hæc ex arbitrio agenda, non ex imperio.

was taken away from them, such as the half-fasts of their stationary days, and their other fasts upon bread and water; he makes them answer, that those other fasts were kept at every man's liberty and will, and not by any express command. So that they thought themselves obliged only to observe those two days on which the Bridegroom was taken away from them. This Irenæus calls the fast of forty hours before Easter, if we retain the vulgar and common reading. For writing to Pope Victor about the difference between the Eastern and Western churches concerning the time of Easter, he tells him,[11] there had been differences not only about the time of Easter, but about the manner of fasting. For some thought they ought to fast one day, others two, others more; and others measured their day (or their fast, as Valesius observes it ought to be read) by the computation of forty hours, joining day and night together. And this variety among those that observe the fast did not begin in our age, but long before us among our ancestors, many of whom, probably, not being very curious and exact in their observation, handed down to posterity the custom as it had been through simplicity or private fancy introduced among them. And yet, nevertheless, all these lived peaceably one with another, and we also keep peace together. For the difference in observing the fast does only so much the more commend the common unity of faith in which all are agreed. I must not here conceal from the reader, that there are several learned men, who think one clause in this passage ought to be read a little otherwise: they say, Ruffin's old translation and Sir H. Savil's copy read it thus: Some fast one day, some two, some more, some forty days. Hence they also argue, that a Lent of forty days was observed in the time of Irenæus. So Bishop Beveridge,[12] Bishop Patrick,[13] Bishop Hooper,[14] and others, who have written peculiar dissertations on this subject. On the other hand, all the manuscripts used by Stephens and Valesius in their accurate editions, are so pointed, as to make the word forty refer not to days, but hours only. It is no easy matter to determine a point of such a critical nature between so many learned men: but if I may be allowed to conjecture in so obscure a case, I should incline to compromise the dispute, and as it were divide the matter between them; by saying, first, That in the time of Irenæus and Tertullian, the catholics allowed the fast of forty hours between our Saviour's death and resurrection, call it a fast of one or two days, as we please, to have the nature of an evangelical command, partly from the example and practice of the apostles, and partly from those words of our Saviour, "The days will come that the Bridegroom shall be taken from them, and then shall they fast;" which, as we have seen, they understood of the time of about forty hours that our Saviour lay in the grave: from whence it is not improbable, that the first notion and name of the most strict Quadragesimal fast might take its original. Which is enough to prove the perpetuity of a Quadragesimal fast before Easter, as of constant use in the church. Secondly, That at the same time that Irenæus and Tertullian wrote, there were other additional days of fasting superadded to these by several churches, but with a great deal of variety in their number and observation, being at every church's liberty to appoint what number of these additional days she thought fit: which, though they were in some churches more, and in some fewer, and none of them full forty days, till after the time of Gregory the Great, yet they all went by the name of the Quadragesimal fast, either because they came near the number of forty days, or because they were an appendix to the Paschal fast, which was most ancient, and originally called Quadragesimal. When first these additional days came in,[15] is not very easy to determine: but that they were taken up by some churches in the time of Irenæus and Tertullian, is beyond dispute, from what has been alleged out of each of them; for they both speak of more days than two as observed in many churches; only with this difference, that the one were observed as more necessary, being founded upon the words of Christ himself; and the other were at the church's free liberty and choice, as being purely of ecclesiastical institution, and therefore varying in their number in different churches, according to the wisdom and discretion of those that appointed them. And this opens the way to a second argument or reason, inducing many learned men to believe, that the Lent fast, as comprising the precise number of forty days, was neither of apostolical institution nor practice.

Sect. 3. Great variety in point of time observable in the celebration of this fast in many churches.

Because if there had been any such apostolical order or example, it is scarce accountable how such great variety in point of time should immediately happen in the observation of this fast, as we are sure in fact did happen in many churches; some keeping it only three weeks, some six, some seven, and yet none of them hitting upon the precise number of forty days of fasting. Socrates[16] gives this account of it in describing the difference of rites and ceremonies in divers churches. One may observe, says he, how the Ante-Paschal fast is differently observed by men of different churches.

[11] Irenæ. ap. Euseb. lib. 5. cap. 24.
[12] Bevereg. Cod. Can. Vindic. lib. 3. cap. 7.
[13] Patrick, of Fasting in Lent, chap. 16. p. 143.
[14] Discourse of Lent, part 1. chap. 3.
[15] Bishop Gunning, Lent Fast, p. 114, thinks there is mention made of a ten days' fast in Lucian's Philopatris.
[16] Socrat. lib. 5. cap. 22.

The Romans fast three weeks[17] before Easter, only the sabbaths and Lord's days excepted. The Illyrians, and all Greece, and the Alexandrians, fast six weeks, and call that the Quadragesimal fast. Others (meaning the Constantinopolitans) begin their fast seven weeks before Easter, but only fast fifteen days by intervals, and yet they also call this the Quadragesimal fast. And it is wonderful, that when they differ so much about the number of days, they should all call it Quadragesimal, and assign different reasons for this appellation. But we may observe not only a difference in the number of days, but in the manner of their abstinence. For some abstain from all living creatures; others, of all living creatures only eat fish; some eat fowls together with fish, because, according to Moses, they say, they come of water. Others abstain from seeds (or berries) and eggs; others eat dry bread only, and some not so much as that. There are some that fast till nine o'clock, that is, three in the afternoon, and then eat any kind of meat. Other nations observe other customs in their fasts, and that for various reasons. And since no one can show any written rule about this, it is plain, the apostles left this matter free to every one's liberty and choice, that no one should be compelled to do a good thing out of necessity or fear. Sozomen[18] gives the like account of these variations: The Quadragesimal fast before Easter, says he, some observe six weeks, as the Illyrians and Western churches, and all Libya, Egypt, and Palestine; others make it seven weeks, as the Constantinopolitans and neighbouring nations as far as Phœnicia; others fast three only of those six or seven weeks by intervals; others, the three weeks next immediately before Easter; and others fast only two weeks, as the Montanists.

Sect. 4. Lent consisted not of above thirty-six fasting days in any church till the time of Gregory the Great, because all Sundays were universally excepted out of the fast, and all Saturdays except one in all the Eastern churches.

Cassian has something of the same observation: For, he says, some churches kept their Lent six weeks, and some seven; and yet none of them made their fast above thirty-six days in the whole. For though six weeks be forty-two days, yet all Sundays were excepted out of the fast, and then six days being subducted, there remained but thirty-six days of fasting. In like manner those churches which kept seven weeks, that is, forty-nine days, to their Lent, excepted not only the Lord's days, but all Saturdays save one, out of the number of fasting days; and therefore thirteen days upon that account being subducted, the remainder[19] was still but thirty-six. And this was the whole of Lent till the time of Gregory the Great, who speaks of forty-two days[20] as the appointment of Lent, but taking away the Sundays, the remainder is only thirty-six. Now, that this was so, is evident from what has been discoursed before of the Lord's day[21] and the sabbath, where I have fully showed, that the Lord's day was never allowed to be kept a fast, but always observed as a festival, even in Lent, in all churches of the world; and in the Oriental churches the Saturday or sabbath was excepted out of the number of fast days also. To what I have said before, I shall only add here one passage of Chrysostom, where he gives the reason why this exception of these two days was made in the Lent fast: As there are stations, says he,[22] and inns in the public roads for weary travellers to refresh themselves, and rest from their labours, that they may more cheerfully go on again in their journey; and as in the sea there are shores and havens for seamen to betake themselves to when they are in a storm, and refresh themselves from the violence of the winds, and then begin sailing again; so the Lord hath appointed these two days in the week, as stations, and inns, and shores, and havens, for those to rest in who have taken upon them the course of fasting in this holy time of Lent, that they may refresh their bodies a little from the labour of fasting, and recreate their minds, and after these two days are past, to go on again with cheerfulness in the journey which they have begun. From hence it is apparent, that in some of the Eastern churches, where the whole time of Lent was but six weeks or forty-two days, when the Saturdays and Sundays were deducted, the remainder of fasting days were not above one and thirty; and where they were most, not above thirty-six. See Bishop Gunning, Lent Fast, p. 156.

Sect. 5. Who first added Ash Wednesday and the other three days to the beginning of Lent.

Who first added Ash Wednesday and the other three days to the beginning of Lent in the Roman church, to make them completely forty, is not agreed among their own writers. Some say it was the work of Gregory the Great, but others ascribe it to Gregory II., who lived above a hundred years after, in the beginning of the eighth century. But, as Azorius[23] says, It is not very material whether of the two was the author of the addition, since it is confessed to be an addition to Lent, after it had continued six hundred years without it. And this is a plain demonstration, that Lent, in this notion at least, as taken for the precise number of a forty days' fast,

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[17] Some think this is only to be understood of the Novatians at Rome. See Bishop Hooper of Lent, p. 84 and 139.

[18] Sozom. lib. 7. cap. 19.

[19] Cassian. Collat. 21. cap. 24, &c. Vid. Basil. Hom. 2. de Jejunio, t. 1. p. 228. Hom. 14. cont. Ebriet. p. 419.

[20] Greg. Hom. 16. in Evangelia, t. 3. p. 42. Sex dies Dominici subtrahuntur, non plus in abstinentia quam triginta et sex dies remanent.

[21] Book XX. chap. 2. sect. 5, and chap. 3. sect. 5.

[22] Chrys. Hom. 11. in Gen. t. 2. p. 106.

[23] Azor. Institut. Moral. lib. 7. cap. 12. par. 1.

could not be of apostolical institution, whatever it might be in any other form or duration.

Sect. 6. Whether the ancients reputed Lent to be an apostolical institution.

But many of the ancients do not allow it in any form to be an apostolical institution, but only a useful order and appointment of the church. So Cassian says expressly,[24] that as long as the perfection of the primitive church remained inviolable, there was no observation of Lent; but when men began to decline from the apostolical fervour of devotion, and give themselves over-much to worldly affairs, then the priests in general agreed to recall them from secular cares by a canonical indiction of fasting, and setting aside a tenth of their time for God. For so he reckons, that the thirty-six days, which was then the fixed term of Lent, were by computation[25] the tenth of the whole year. Cassian was a disciple of St. Chrysostom's, and he seems to have had his notion and sentiments about the original of Lent from him; for Chrysostom gives much the same account of it: Why do we fast these forty days? Many heretofore were used to come to the communion indevoutly and inconsiderately, especially at this time, when Christ first gave it to his disciples: therefore our forefathers,[26] considering the mischief arising from such careless approaches, meeting together, appointed forty days for fasting and prayer, and hearing of sermons, and holy assemblies, that all men in these days, being carefully purified by prayer, and almsdeeds, and fasting, and watching, and tears, and confession of sins, and other the like exercises, might come according to their capacity with a pure conscience to the holy table. St. Austin sometimes delivers himself after the same manner, though at other times he seems to derive the original of Lent from the authority of the gospel. In one place he says,[27] Though fasting in general be prescribed in the New Testament, yet what days men ought to fast, or what not, he finds not defined by any precept of Christ or his apostles. In another place,[28] specifying more particularly the several solemnities observed by Christians, he says, There was some foundation and authority for them in Scripture: for we know out of the gospel what day our Lord suffered, and was buried, and rose again from the dead; and therefore the observation of these days was added by the councils of the fathers, and the whole world was persuaded to celebrate the *Pasch* after that manner. The forty days' fast has authority both in the Old Testament from the fast of Moses and Elias, and also from the gospel, because our Lord fasted so many days. He adds a little after,[29] That the supputation of Easter and fifty days of Pentecost are firmly collected out of Scripture. For as the custom of the church has confirmed the observation of those forty days before Easter, so has it also confirmed the distinction that is made between the eight days of neophytes (or the time of the newly-baptized wearing their white garments) from the rest, that the eighth day might accord with the first. Here are two things very observable in St. Austin's words. 1. That the authority and foundation which the Lent fast has out of the gospel, is the same that it has out of the Old Testament, which was not any precept, but the example of Moses and Elias. 2. That the Lent fast is owing to the councils of the fathers and the custom of the church, in like manner as the eight days of the neophytes, and the fifty days of Pentecost, owe their observation to the same original; concerning which no one doubts, but that though there may be remotely some foundation for them in Scripture, yet there is no express command, but that they owe their original purely to the councils of the fathers and the custom of the church.

Sect. 7. In what sense some of them say it is a Divine institution.

Now, by this we understand what others of the ancients mean, when they say, the forty days' fast is a Divine institution, and derived from the authority of Scripture. As St. Jerom[30] says, Moses and Elias, fasting forty days, were filled with the conversation of God; and our Lord himself fasted so many days in the wilderness, that he might leave to us the solemn days of fasting. And again,[31] Our Lord, the true Jonas, being sent to preach in the world, fasted forty days, and leaving us the inheritance of fasting under this number, he prepares our souls for the eating of his body. There are many

[24] Cassian. Collat. 21. cap. 30. Sciendum igitur sane, hanc observantiam Quadragesimæ, quamdiu ecclesiæ illius primitivæ perfectio inviolata permansit, penitus non fuisse. —Verum cum ab illa apostolica devotione desciscens, quotidie credentium multitudo suis opibus incubaret, &c. Id tunc universis sacerdotibus placuit, ut homines curis secularibus illigatos, et pene continentiæ vel compunctionis ignaros, ad opus sanctum canonica jejuniorum indictione revocarent, et velut legalium decimarum necessitate compellerent.

[25] Vid. Cassian. ibid. cap. 25.

[26] Chrys. Hom. 52. in eos qui primo Pascha jejunant, t. 5. p. 709.

[27] Aug. Ep. 87. ad Casulan. p. 147. Ego in evangelicis et apostolicis literis — video præceptum esse jejunium: quibus autem diebus non oporteat jejunare, et quibus oporteat, præcepto Domini vel apostolorum non invenio definitum.

[28] Ep. 119. ad Januar. cap. 15. Ex evangelio quia jam manifestum est quo etiam die Dominus crucifixus est, et in sepultura fuerit, et resurrexerit, adjuncta est etiam ipsorum dierum observatio per patrum concilia, et orbi universo Christiano persuasum est eo modo Pascha celebrari oportere. Quadragesima sane jejuniorum habet authoritatem et in veteribus libris ex jejunio Moysi et Eliæ, et ex evangelio, quia totidem diebus Dominus jejunavit.

[29] Ibid. cap. 17. Hæc de Scripturis firmissime tenentur, id est, Pascha et Pentecoste. Nam ut quadraginta illi dies ante Pascha observentur, ecclesiæ consuetudo roboravit, sic etiam ut octo dies neophytorum distinguantur a cæteris, id est, ut octavus primo concinat.

[30] Hieron. in Isai. lviii. p. 262. [31] Idem, in cap. 3. Jonæ.

the like expressions occur in the writings of St. Basil,[32] Theophilus,[33] and Cyril[34] of Alexandria, Petrus Chrysologus,[35] and several others, which Bishop Beveridge has put together upon this occasion. But none of these intended to say, that there is any direct and express Divine command for it, but only some precedent or example in the extraordinary practice of the forty days' fast of our Saviour, or those of Moses and Elias: which is not enough to ground a precept upon, because such extraordinary examples are not imitable, neither can they be reduced to practice but in a much lower way, which may warrant the church to appoint a fast of forty days, but not to impose it as a matter of Divine command. Chrysostom, among the ancients, saw this very clearly, and therefore he says,[36] Christ did not say to his disciples, I have fasted, although he might have spoken of those forty days; but, "Learn of me, for I am meek and lowly in heart:" and when he sent them to preach the gospel, he did not tell them they should fast, but eat such things as were set before them. This I speak not, says he, to depreciate fasting, God forbid, but to give it extraordinary commendations. Only I am sorry ye should think this, which is in the lowest rank of virtues, sufficient to salvation, whilst other things of greater value, charity, humility, mercy, which exceed even virginity itself, are wholly neglected. By this it is plain, they did not think the example of Christ sufficient to authorize the imposition of a forty days' fast as a matter of Divine injunction.

Sect. 8. How far allowed to be a tradition or canon apostolical.

But it must be owned, some of them call it a tradition or canon apostolical. St. Jerom[37] says, We observe one Lent in the year according to the tradition of the apostles. Pope Leo[38] calls it the apostolical institution of a forty days' fast, which the apostles instituted by the direction of the Holy Ghost. But it is no small diminution to the judgment of Pope Leo, that Mr. Pagi[39] and Quesnel observe of him, that he was used to call every thing an Apostolical law, which he found either in the practice of his own church, or decreed in the archives of his predecessors Damasus and Siricius. And for St. Jerom, he himself tells us, he sometimes calls particular customs of churches by the name of apostolical traditions: for writing about the sabbath, which some churches kept a fast, and others a festival, he says,[40] Every country may abound in their own sense, and take the precepts of their ancestors for apostolical laws. And if St. Jerom did so here, we may easily apprehend his meaning: if he did otherwise, he was certainly mistaken: since it appears from the premises, that the apostolical Lent was much short of the Lent St. Jerom speaks of, and increased to the number of forty days by various steps and gradations. The apostolical Lent was only a fast of a few days before Easter: by the time of Dionysius of Alexandria it was come to be a whole week, and perhaps somewhat more, anno 250. At Rome, about the same time, (as a very learned person[41] thinks, who has written very accurately upon this subject,) it was three weeks, in the time when Cornelius and Novatian were contending about the bishopric of Rome: which made the followers of Novatian stick to that term in the time of Socrates, when Lent was improved to six weeks in Rome. From three weeks, that learned person thinks, it was first advanced to six, either by the council of Nice in its fifth canon, or not long before it. And then it began commonly to be called *Quadragesima*, or the forty days' fast, because, though in strictness the fasting days were but thirty-six, or thirty-one, yet the first of them was at least forty days before Easter, and that gave denomination to the whole. And thus it was in the time of St. Jerom: but it is a wrong conclusion in him, that because there was an apostolical fast of some few days before Easter, which afterwards improved by various degrees into a fast of forty days, therefore the fast of forty days must needs be of apostolical institution: and it is more insufferable in those, who, after four other days were added to thirty-six to make them precisely forty days of fasting, still pretend it is the very same Lent that was originally settled in the church by the apostles. The matter in itself is not great, but the prejudice and confidence of men in managing a dispute is wonderful, when they will maintain a paradox, that may with such glaring evidence be so easily confuted. For as Bishop Taylor[42] says very well upon the point, If any man should say, that kings were all created as Adam was, in full stature and manhood by God himself immediately, he could best be confuted by the midwives and the nurses, the schoolmasters and the servants of the family, and by all the neighbourhood, who saw them born infants, who took them from their mothers' knees, who gave them suck, who carried them in their arms, who made them coats, and taught them their letters, who observed their growth, and changed their ministeries about their persons. The same is the casé of the present article. He that says our Lent, or forty days' fast before Easter, was established by

[32] Basil. Hom. 2. de Jejun. [33] Theoph. Paschal. Ep.
[34] Cyril. Homil. Paschal. passim.
[35] Chrysol. Ser. 11 et 146.
[36] Chrys. Hom. 47. in Mat. p. 425.
[37] Hieron. Ep. 54. ad Marcellam.
[38] Leo, Serm. 6 et 9. de Quadragesima.
[39] Pagi, Critic. in Baron. an. 67. n. 15. Quesnel. ibid.
[40] Hieron. Ep. 28. ad Lucin. Unaquæque provincia abundet in sensu suo, et præcepta majorum leges apostolicas arbitretur.
[41] Bishop Hooper of Lent, p. 139 and 84.
[42] Taylor, Duct. Dub. book 3. cap. 4. p. 632.

the apostles in that full growth and state we now see it, is perfectly confuted by the testimony of those ages that saw its infancy and childhood, and helped to nurse it up to its present bulk. And with this I shall end the present inquiry about the original and progress of Lent in the first ages of the church.

Sect. 9. What were the causes or reasons of instituting the Lent fast. 1st, The apostles' sorrow for the loss of their Master.

The next inquiry may be into the causes and reasons of its institution. And here, first of all, if we respect the original institution, the reason is given by Tertullian, who makes the catholics say, as we have heard before, that the reason of the apostles fasting at this time was, because the Bridegroom was taken away from them. In compliance with which practice the ancients generally observed those two days, in which our Saviour lay in the grave, with the greatest strictness, as we shall see more hereafter. Though the Montanists, who pretended to the spirit of prophecy, understood the taking away of the Bridegroom in another sense, for our Saviour's ascension or assumption into heaven; and therefore they kept one of their Lents or fasts (for they had three in the year) after our Lord's ascension, in opposition to the church, which celebrated the whole time of Pentecost as a solemn festival. This we learn from St. Jerom, who not only says[43] the Montanists kept three Lents in the year, but also that they kept one of them after Ascension,[44] pretending to know by their new inspiration, that that was the time which our Saviour meant when he said, "The Bridegroom shall be taken from them, and then shall they fast." So both the catholics and the Montanists agreed upon the reason of a fast, though they applied it to a different time according to their different apprehensions.

Sect. 10. 2dly, The declension of Christian piety from its first and primitive fervour.

Cassian gives another reason for the institution of Lent: he says,[45] At first there was no observation of Lent, as long as the perfection of the primitive church remained inviolable; for they who fasted as it were all the year round, were not tied up by the necessity of this precept, nor confined within the strait bounds of such a fast, as by a legal sanction: but when the multitude of believers began to depart from that apostolical devotion, and brood continually upon their riches; when, instead of imparting them to the common use of all, they laboured only to lay them up and augment them for their own private expenses, not content to follow the example of Ananias and Sapphira; then it seemed good to all the bishops by a canonical indiction of fasts to recall men to holy works, who were bound with secular cares, and had almost forgotten what continency and compunction meant, and to compel them, by the necessity of a law, to dedicate the tenth of their time to God. To the same purpose Pope Leo[46] says, Whilst men are distracted about the various cares of this life, their religious hearts must needs be defiled with the dust of this world; and therefore it is provided by the great benefit of this Divine institution, that the purity of our minds might be repaired by the exercise of these forty days, in which we may redeem the failings of other times, and do good works, and exercise onrselves in religious fasting.

Sect. 11. 3dly, That men might prepare themselves for a worthy participation of the communion at Easter.

A third reason was, That men might prepare their souls for a worthy participation of the communion at Easter. For though men at first were used to communicate every Lord's day, and to keep themselves continually in a constant habitual preparation for that holy mystery; yet, as the primitive spirit of Christianity declined, men came, by degrees, to communicate chiefly at Easter, and some at no other time but that only. For the sake of these men, therefore, the observation of the preceding fast was much urged, that, by proper and spiritual exercises, they might be duly prepared to receive the communion at Easter, who could not be prevailed upon to frequent it at other seasons. This is what we have heard St. Chrysostom[47] say before, That because men were used to come indevoutly and inconsiderately to the communion, especially at Easter, when Christ first instituted the holy supper, therefore the fathers, considering the mischiefs arising from such careless approaches, met together, and appointed forty days of fasting, that in these days men, being carefully purified by prayer, and almsdeeds, and fasting, and watching, and tears, and confession of sins, and other the like exercises, might come with a pure conscience to the holy table. To the same purpose in another place,[48] As they that take great pains to run in a race, reap no advantage if they fail of the prize; so we have no benefit from all the labour and pains we bestow upon fasting, unless we can come with a pure conscience to partake of the holy table. For this end we use fasting and Lent, and assemblies for so many days together, and hearing, and praying, and preaching, that by our diligence in the use of these means, and regard to the Divine commands, we may wipe off the sins of the whole year that stick to us, and so with spiritual boldness and reverence partake of the unbloody sacrifice. The like is said by St. Jerom,[49] That our Lord fasting forty days, and leaving us the inheritance of fasting under this number, prepares our souls for the eating of

[43] Hieron. Ep. 54. ad Marcellam. Illi tres in anno faciunt Quadragesimas, quasi tres passi sint salvatores.

[44] Ibid. Com. in Mat. ix.

[45] Cassian. Collat. 21. cap. 30.

[46] Leo, Serm. 4. de Quadragesima

[47] Chrys. Hom. 52. in eos qui primo Pascha jejunant, t 5. p. 709.

[48] Hom. 22. de Ira, t. 1. p. 276.

[49] Hieron. in Jon. cap. 3.

his body. And this I take to have been the principal cause of the church's enlarging her Lent to the length of forty days, as occasion required, from such small beginnings as it seems to have had in its first original.

Sect. 12. 4thly, That catechumens might prepare themselves for baptism.

Besides these general reasons for the observation of Lent, there were two particular reasons more peculiarly respecting two orders of men in the church, viz. the catechumens who were preparing for baptism, and the penitents who were preparing for absolution. It has been noted elsewhere,[50] that Easter was the fixed and solemn time both for admitting catechumens to baptism, and readmitting penitents after lapsing, and performing a solemn penance, into the communion of the church again. And solemn fasting was preparatory to each of these. Justin Martyr[51] speaks of a general fast of the whole church, together with the catechumens who presented themselves to baptism: As many, says he, as are persuaded, and do believe that the things taught and said by us are true, and promise to live accordingly, they are instructed to pray, and with fasting to beg of God remission of sins, we praying and fasting together with them. Then they are brought to the place where water is, and are regenerated after the same manner of regeneration as we were regenerated before them. This is a plain account of a public fast before baptism. Afterward, when the time of baptism was settled to Easter, it is certain the Lent fast was observed by the catechumens, as preparatory to their baptism. For Cyril of Jerusalem thus addresses himself to the catechumens: The present season is a season of confession:[52] all worldly cares are to be laid aside; for you strive for your souls. You that have been busy about the things of the world, and troubled in vain so many years, will ye not bestow forty days in prayer for the salvation of your souls? So again,[53] There is a large time given you; you have the penance before you of forty days, sufficient space and opportunity to put off the old garments, and put on the new. Upon this account all candidates of baptism were obliged to give in their names forty days before baptism, which Cyril[54] calls *ὀνοματογραφία*, the entering of their names, in the same place. This is intimated by the fourth council of Carthage, which orders,[55] That they who are to receive baptism, shall give in their names, and continue a long time under abstinence from wine and flesh, and use imposition of hands, and frequent examination. The time of forty days is not particularly specified here, but it is plainly expressed in one of the canons of Siricius, which speaks of giving baptism at Easter[56] only to such as gave in their names forty days before, and continued under the daily discipline of exorcism, prayer, and fasting. Which shows that this fast of forty days was then a time more peculiarly observed by such catechumens as were preparing for baptism at Easter following.

Sect. 13. And penitents for absolution at Easter.

The like discipline was observed toward penitents, who, after their canonical penance was completed, were generally absolved about the time of the Paschal festival; and therefore it is reasonable to suppose, that the preceding time of Lent was always more strictly observed by them, as a decent preparation for the absolution they then expected. Not that this was the only time of penance, especially for great and scandalous criminals; for many of these were kept under penance for many years successively, as has been showed in a former Book: but the ordinary time of absolving them was Easter; as we learn not only from the testimony of St. Ambrose[57] and others, alleged heretofore in the discourse of absolution,[58] but from Gregory Nyssen,[59] who says, The anniversary solemnity of Easter was not only the time of regenerating catechumens, but of begetting those again to a lively hope, who had forfeited it by their sin, but were desirous to regain it by repentance and conversion from dead works, to walk again in the paths of life. The same is intimated in the canons of Ancyra,[60] and those of Peter of Alexandria, and the epistles of Cyprian, all which speak of Easter as the great and solemn time of admitting penitents, as a learned prelate of our church[61] has with great judgment and acuteness observed out of them. And thence we may infer, that penitents, who were bound to strict rules of penance all the year round, and many times year after year under a long course of discipline, were more exactly careful in the observation of this season, in hopes of obtaining their absolution in the close of it. Whence St. Jerom observes,[62] That forty was a number proper for penitents, and fasting, and sackcloth, and tears, and perseverance in deprecating God's anger. For which reason Moses also fasted forty days in Mount Sinai: and Elias, flying from Jezebel, and the wrath of God impending upon Israel, is described as fasting

[50] Book XI. chap. 6. sect. 7.
[51] Justin. Apol. 2. p. 93.
[52] Cyril. Catech. 1. n. 5.
[53] Id. in Præfat. n. 3.
[54] Ibid. n. 1 et 3.
[55] Conc. Carthag. 4. can. 85. Baptizandi nomen suum dent, et diu sub abstinentia vini et carnium, ac manus impositione, crebra examinatione baptismum percipiant.
[56] Siric. Ep. 1. ad Himerium, cap. 2. Generalia baptismatis tradi convenit sacramenta his duntaxat electis, qui ante quadraginta vel eo amplius dies nomen dederint, et exorcismis, quotidianisque orationibus atque jejuniis fuerint expiati.
[57] Ambros. Ep. 33.
[58] Book XIX. chap. 2. sect. 10.
[59] Nyssen. Ep. Canon. ad Letoium, in Præfat.
[60] Conc. Ancyr. can. 6. Petri Alex. can. 1. Cypr. 56 Ep. Edit. Oxon.
[61] Bishop Hooper of Lent, cap. 6. p. 93.
[62] Hieron. Com. in Jon. iii.

forty days. Our Lord also himself, the true Jonas, who was sent to preach to the world, fasted forty days; and leaving us the inheritance of his fasting, he still prepares our souls for the eating of his body by the same number.

Sect. 14. Lent generally observed by all Christians, though with a great liberty and just allowance to men's infirmities, being in a great measure left to their own discretion.

Thus we see, catechumens and public penitents were strictly obliged to the observation of Lent, as part of their discipline and preparation for baptism and absolution. Nor was the great body of the church backward at this season to concur in fasting and prayer with them. For Chrysostom[63] says, Though at other times when we preachers cry up and preach the duty of fasting never so much all the year, scarce any one hearkens to what we say; yet, when the season of forty days is come, though none exhort or advise them, the most negligent set themselves to it, taking admonition and advice from the very season. Lent, it seems, was then generally reputed a proper time to fast, and repent, and mourn for sin, that such as were negligent at other times, might take this opportunity to recollect and humble themselves, and come duly prepared to the communion at the Easter festival. Therefore he adds immediately, If a Jew or a heathen ask you, why you fast? do not tell him, it is for our Saviour's passion, or the cross: for so you will give him a handle to accuse you; for we do not fast for the passion, or the cross, but for our sins, because we are to come to the holy mysteries. The passion is not the occasion of fasting or mourning, but of joy and exultation: we mourn not for that, but for our sins, and therefore we fast. But then this fast was observed with a great deal of liberty. For he says in the same place, If a man come with a pure conscience, he keeps the *Pasch*, whether he partakes of the communion to-day, or to-morrow, or at any other time. And therefore he says in another place,[64] It was usual in Lent for the people to ask one another, how many weeks they had fasted; and one would answer, he had fasted two weeks, another three, another all. And what advantage is it, if we have kept the fast without mending our morals? If another says, I have fasted the whole Lent; say thou, I had an enemy, and I am reconciled to him; I had a custom of reviling, and I have left it off; I was used to swearing, and I have broken the evil habit. It is of no advantage to fast, if our fasting do not produce such fruits as these. In other places he intimates, that a great liberty was allowed men in regard to their infirmities, and that they were left in a great measure to fast at their own discretion. Let no one, says he,[65] place his confidence in fasting only, if he continues in his sins without reforming. For it may be one that fasts not at all may obtain pardon, if he has the excuse of bodily infirmity: but he that does not correct his sins can have no excuse. Thou hast not fasted by reason of the weakness of thy body: but why art thou not reconciled to thy enemies? Canst thou pretend bodily infirmity here? If thou retainest hatred and envy, what apology canst thou make? In such crimes as these, thou canst not fly to the refuge of bodily weakness. So again, more copiously prosecuting this matter in another place:[66] If thou canst not pass all the day fasting by reason of bodily weakness, no wise man can condemn thee for this. For we have a kind and merciful Lord, who requires nothing of us above our strength. He neither requires abstinence from meat nor fasting simply of us, nor that for this end we should continue without eating only; but that, sequestering ourselves from worldly affairs, we should spend all our leisure time in spiritual things. For if we would order our lives soberly, and lay out our spare hours upon spiritual things, and eat only so much as we had need of and nature required, and spend our whole lives in good works, we should not need the help of fasting. But because human nature is negligent, and gives itself rather to ease and pleasure; therefore our kind Lord, as a compassionate Father, hath found out this medicine of fasting for us, that we should abridge ourselves in our pleasures, and transfer our care of secular things to works of a spiritual nature. If therefore there be any here present who are hindered by bodily infirmity, and cannot continue all the day fasting, I exhort them to have regard to the weakness of their bodies, and not upon that account deprive themselves of this spiritual instruction, but for that very reason to pay more diligent attendance on it. For there are many ways besides abstinence from meat, which will open to us the door of confidence towards God. He therefore that eats, and cannot fast, let him give the more plentiful alms, let him be more fervent in his prayers, let him show the greater alacrity and readiness in hearing the Divine oracles; for the weakness of the body is no impediment in such offices as these: let him be reconciled to his enemies, and forget injuries, and cast all thoughts of revenge out of his mind. He that does these things, will show forth the true fasting which the Lord chiefly requires. Therefore I exhort you who are able to fast, to go on with all possible alacrity in this good and laudable work. For by how much more our outward man perishes, so much more our inward man is renewed. For fasting restrains the body, and checks and bridles its inordinate sallies; but makes the soul much brighter, and gives it

[63] Chrys. Hom. 52. in eos qui Pascha jejunant, t. 5. p. 709.
[64] Ibid. Hom. 16. ad Pop. Antioch. t. 1. p. 211.
[65] Ibid. Hom. 22. de Ira, t. 1. p. 277.
[66] Ibid. Hom. 10. in Gen. t. 2. p. 91.

wings to mount up and soar on high. Do you also exhort your brethren, that are not able to fast for the weakness of their bodies, that they should not upon that account absent themselves from this spiritual food; but teach them and inform them what you have learned of us, that he that eats and drinks with moderation, is not unworthy of this auditory, but only he that is negligent and dissolute. Tell them what the apostle says, "Both he that eateth, eateth to the Lord; and he that eateth not, to the Lord he eateth not, and giveth God thanks:" therefore he that fasteth giveth God thanks, who has enabled him to bear the labour of fasting; and he that eateth gives God thanks likewise, that this is no prejudice to the salvation of his soul, if he be otherwise willing and obedient. I have recited these passages at large out of Chrysostom, to show what notion he had of the obligation men were under to observe the Lent fast. If men were in health and able to bear it, the rule and custom was for them to observe it, and they generally did so without any further admonition; but if they did not comply, their non-compliance did not debar them from the communion at Easter, or lay them under any ecclesiastical censure as great delinquents. On the other hand, if they pleaded bodily infirmity and weakness, that was always accepted as a just apology, provided they made it appear by their other good works, that they were sincere and zealous, and not merely acting a part in the business of religion.

And some footsteps of this liberty, in leaving men to a discretionary observation of Lent, are described by learned men in several other writers. Bishop Hooper[67] observes out of Tertullian,[68] That except Friday and Saturday before Easter, the catholics in his time kept no other days of fasting in Lent, but only at discretion; and that their fast was for the most part private, and not distinguished by any public action. And Bishop Taylor[69] asserts the same, not only out of Tertullian, but Socrates, Prudentius, Victor Antiochenus, Prosper, and St. Austin: For the fasts of the church were arbitrary and chosen, without necessity and imposition from any authority. He means not only the imposition of apostolical or Divine authority upon the church in general, but the imposition of them by any authority of the church upon her own members, as laying any necessary obligation on them. And this is true of the three or four first ages of the church, but more questionable of those that followed after. For the fourth council of Orleans[70] orders, That all who refused to fast on Saturday in Lent, should be made liable to ecclesiastical censure. And among those called the Apostolical Canons[71] there is one that orders, That every clergyman who, not being infirm, refuses to fast in Lent, shall be deposed; and laymen to be suspended from communion for the same transgression. But this is one of those canons which are known to be of later date, and therefore cannot be concluded to be according to the ancient rule of the church.

Sect. 15. How the Montanists differed from the church about the imposition of fasts.

From this it will be easy to account for the difference which happened between the church and the Montanists about the imposition of fasts. Montanus is condemned by the writers of that age for making new laws about fasting. In the fragment of Apollonius mentioned by Eusebius,[72] it is laid to his charge, that he was the first ὁ νηστείας νομοθετήσας, who imposed fastings by his laws. Which some understand, as if he was the first that ever brought fasting under any rule or law. Which cannot be true; for, as we have seen before, the church also thought she had a rule for fasting two days before Easter; and Tertullian also, in vindication of Montanus, tells the catholics (which they themselves did not deny) that their bishops were used to appoint fasts[73] upon necessary occasions of the church. Therefore this could not be the dispute then, whether fasting might be imposed by a law; but the Montanists said, beside the fast of Lent observed by the catholics, there were other fasts imposed by the Spirit under the ministry and revelation of the will of God made to Montanus. For the Montanists kept three Lents[74] in the year, each of these two weeks; and that upon dry meats in perfect abstinence from flesh; and these also as necessary to be observed, as injunctions of the Spirit by the new revelation made to Montanus, which they preferred before the writings of the apostles, and said these laws were to be observed for ever. Which is the reason why the Montanists in the time of Sozomen kept their Antepaschal fast still confined to two weeks, when the catholics fasted a much longer space. For, as a learned person[75] observes, those great fasters would hardly have been left behind, had not those two weeks been the space determined them by their prophet, and they obliged to keep punctually to all

[67] Disc. of Lent, p. 64.

[68] Tertul. de Jejun. cap. 2 et 13.

[69] Taylor, Duct. Dub. p. 629.

[70] Conc. Aurel. 4. an. 541. can. 2. Sed neque per sabbata absque infirmitate quisquam solvat Quadragesimale jejunium.——Si quis hanc regulam irruperit, tanquam transgressor disciplinæ a sacerdotibus censeatur.

[71] Can. Apost. 69. See also Conc. Toletan. 8. can. 9.

[72] Euseb. lib. 5. cap. 18.

[73] Tertul. de Jejuniis, cap. 13. Bene autem, quod et episcopi universæ plebi mandare jejunia assolent, non dico de industria stipium conferendarum, ut vestræ capturæ est, sed interdum et ex aliqua sollicitudinis ecclesiasticæ causa.

[74] Hieron. Ep. 54. ad Marcellam. It. Com. in Hag. cap. 1. Tertul. de Jejun. cap. 15.

[75] Bishop Hooper of Lent, p. 65.

his institutions. This, then, was the great dispute between the catholics and the Montanists, whether the Spirit had appointed these fasts? Which the Montanists asserted, and the catholics denied. And therefore, though the church augmented her fast from two days to forty, yet still she did it with a great deal of liberty reserved to every particular church, and every particular church in a great measure left all her members to judge of their own abilities by Christian prudence and discretion; exhorting men to fast, but imposing rigidly upon none more than they were able and willing to bear, nor enforcing it under pain of ecclesiastical censure.

Sect. 16. The Lent fast kept with a perfect abstinence from all food every day till evening.

The manner of observing Lent among those that were piously disposed to observe it, was to abstain from all food till evening. For anciently a change of diet was not reckoned a fast; but it consisted in a perfect abstinence from all sustenance for the whole day till evening. And in this the Lent fast differed from the *semijejunia*, or half-fasts of the ordinary stationary days, as we shall see hereafter. St. Ambrose, speaking of the Lent fast, says, It was a total[76] abstinence every day throughout the whole season, except on the sabbath and the Lord's day. And in another place, exhorting men[77] to observe the Lent fast, he bids them defer eating a little, the end of the day is not far off. So Chrysostom frequently in his Lent sermons speaks of the same circumstance: Let us set a guard[78] upon our ears, our tongues, and minds, and not think that bare fasting till the evening is sufficient for our salvation. What profit[79] is it to fast, and eat nothing all the day, if you give yourself to playing at dice, and other vain pastimes, and spend the whole day many times in perjuries and blasphemies? The true fast is abstinence from vices.[80] For abstinence from meat was appointed upon this occasion, that we should curb the tone of our flesh, and make the horse obedient to his rider. He that fasts ought, above all things, to bridle his anger, to learn meekness and clemency, to have a contrite heart, to banish the thoughts of all inordinate desires, to set the watchful eye of God before his eyes and his uncorrupted judgment; to set himself above riches, and exercise great liberality in giving of alms, and to expel every evil thought against his neighbour out of his soul. This is the true fast. Therefore let this be our care: and let us not imagine, as many do, that we have fasted rightly, when we have abstained from eating until evening. This is not the thing required of us; but that, together with our abstinence from meat, we should abstain from those things that hurt the soul, and diligently exercise ourselves in things of a spiritual nature. Bellarmine[81] himself shows the same out of St. Basil,[82] and other ancient writers, who speak always of the Lent fast as a perfect abstinence from all food till evening. And it is very remarkable, by what he cites out of Micrologus, Gratian, and St. Bernard, that this custom continued till the twelfth century even in the practice of the Romish church.

Sect. 17. Change of diet not accounted a proper fast for Lent, without perfect abstinence till evening.

Whence it were easy to conclude, that the pretence of keeping Lent only by change of diet from flesh to fish, or a more delicious food, which allows men the use of wine and other delicacies, is but a mock fast, and a mere innovation, utterly unknown to the ancients, whose Lent fast was a strict and rigorous abstinence from all food till the evening. Their refreshment was only a supper, and not a dinner of any kind: and then it was indifferent whether it was flesh or any other food, provided it was used, as became the refreshment of a fast, with sobriety and moderation. They generally, indeed, abstained from flesh, and wine, and fish, and all other delicacies at this season: but yet there was no such universal rule or custom in this matter, but that when men had fasted all the day, they were allowed to refresh themselves with a moderate supper upon flesh or any other food without distinction. This appears from the observation which Socrates makes upon the different manner of fasting in Lent: Some, says he,[83] abstain from all kind of living creatures; others abstain from all but fish; others eat fowls as well as fish, saying, that, according to Moses, they come of the water; others abstain from fruits and eggs; others eat only dry bread; and others even not so much as that. Yet the greatest ascetics made no scruple to eat flesh in Lent, when a just occasion required it. Sozomen tells a remarkable story[84] of Spiridion, bishop of Trimithus in Cyprus, That a stranger once happening to call upon him in his travels in Lent, he having nothing in his house but a piece of pork, ordered that to be dressed and set before him: but the stranger refusing to eat flesh, saying he was a Christian; Spiridion replied, For that very reason thou oughtest not so refusé it; for the word of God has pronounced all things clean to them that are clean. Eusebius[85] tells a like story of one Alcibiades, a martyr, who, being a great ascetic, had used to abstain from flesh all his life, and live only upon bread and water; which course of life he continued even in prison: but it was revealed to Attalus, one of his

[76] Ambros. de Elia et Jejun. cap. 10. Quadragesima totis præter sabbatum et Dominicam jejunatur diebus.

[77] Id. Ser. 8. in Psal. cxviii. Differ aliquantulum, non longe finis est diei.

[78] Chrys. Hom. 4. in Gen. t. 2. p. 37

[79] Hom. 6. in Gen. p. 60.

[80] Hom. 8. in Gen. p. 79.

[81] Bellarm. t. 4. de Bonis Oper. lib. 2. cap. 2.

[82] Basil. Hom. 1. de Jejun.

[83] Socrat. lib. 5. cap. 22.

[84] Sozom. lib. 1. cap. 11.

[85] Euseb. lib. 5. cap. 3.

fellow prisoners, that Alcibiades did not well to refuse using the creatures of God, and thereby give scandal to others. Upon which admonition, Alcibiades changed his manner of living, and began to use all meats indifferently with thanksgiving. By this it appears, that the eating or not eating of flesh, was a thing indifferent to them at all times, and that they made no scruple to eat flesh even in Lent, upon a necessary occasion, without any prejudice to their rules of fasting. But the thing they chiefly guarded against, was luxury, and pampering the body, under pretence of fasting. St. Austin[86] makes a smart reflection in one of his sermons upon such pretenders as these: There are some observers of Lent, says he, that study deliciousness more than religion, and seek out new pleasures for the belly, more than how to chastise the concupiscence of the old man; who by costly and plentiful provisions, strive to outdo the varieties and tastes of the several fruits of the earth. They are afraid of any vessels in which flesh has been boiled, as if they were unclean; and yet in their own flesh fear not the luxury of the throat and the belly. These men fast, not to diminish their wonted voracity by temperance, but by deferring a meal to increase their immoderate greediness. For when the time of refreshment comes, they rush to their plentiful tables, as beasts to their mangers, and stuff their bellies with great variety of artificial and strange sauces, taking in more by devouring, than they are able to digest again by fasting. There are some likewise who drink no wine, that they may provide themselves other more agreeable liquors, to gratify their taste, rather than set forward their salvation; as if Lent were intended, not for the observation of a pious humiliation, but as an occasion of seeking out new pleasures. They did not think commutation of diet a proper fast, if the abstinence of the day was spoiled by any immoderate indulgence of an evening banquet; much less did they esteem it a fast to dine upon delicacies, and use a mere abstinence from flesh without deferring the time of their ordinary meal till evening; but they abstained all the day from food of any kind, and then contented themselves with a sober and plain refreshment in the close of it, without any scrupulous nicety about the kind of their food, so long as they used it only with temperance and moderation.

Sect. 18. What they spared in a dinner, not spent in evening luxury, but bestowed on the poor.

And what they thus spared from their own bodies in abridging them of a meal, they that were piously disposed bestowed upon the bellies of the poor. This we learn from one of the homilies of Cæsarius Arelatensis, or whoever was the author of it, under the name of St. Austin:[87] Before all things, says he, on our fasting days, what we were used to spend upon a dinner, let us bestow upon the poor, that no one concern himself about providing a sumptuous supper, or an exquisite and delicious feast, and seem rather to have changed the diet of his body, than diminished any thing in the quantity of it. There is no profit in keeping a long fast all the day, if afterward a man overwhelm his soul, either with the delicacy of his meat, or the abundance of it. That which is gained by the fast at dinner, ought not to be turned into a feast at supper, but be expended on the bellies of the poor. *Proficiat eleemosynis, quod non expenditur mensis*, says Leo,[88] That which is not expended upon our tables should be laid out in alms, and then it will bring us in great gain. Origen says,[89] he found it in some book as a noted saying of the apostles, "Blessed is he who fasts for this end, that he may feed the poor; this man's fast is acceptable unto God." Mercy and piety, as Chrysologus words it,[90] are the wings of fasting, by which it mounts up to heaven, without which it lies dead upon the earth. Therefore, when we fast, let us lay up our dinner in the hands of the poor, that the hands of the poor may preserve for us what our bellies would destroy. The hands of the poor is the treasury of Christ: fasting without mercy is but an image of famine; fasting without works of piety is only an occasion of covetousness; because, by such sparing, what is taken from the body only swells in the purse.

Sect. 19. All corporeal punishments forbidden by the imperial laws in Lent.

Therefore Lent was thought the proper season for exercising more abundantly all sorts of charity. Let us spend those vacant hours, says Cæsarius or St. Austin,[91] which we were used to lavish away without any benefit to our souls, now in visiting the sick, in searching the prisons, in entertaining strangers, in reconciling those that are at variance with one another. This was required of those more especially, who pretended bodily infirmity that they could not fast, as we have heard before out of St. Chrysostom. Thou canst not fast by reason of the weakness of thy body; but why art thou not reconciled[92] to thy enemy? Canst thou pretend bodily infirmity here? If thou retainest hatred and envy, what apology canst thou make? In such crimes as these thou canst not take sanctuary in bodily weakness. He that cannot fast, let him give the more plentiful alms, let him be reconciled to his enemies, let him forget injuries, and cast all thoughts of revenge out of his mind. This was a time when men expected mercy and pardon from God, and therefore it was the more reasonable they

[86] Aug. Serm. 74. de Diversis, t. 10. p. 550.
[87] Ibid. 56. de Tempore, t. 10. p. 252.
[88] Leo, Ser. 3. de Jejun. Pentecost.
[89] Origen. Hom. 10. in Levit.
[90] Chrysol. Serm. 8. de Jejun.
[91] Aug. Hom. 56. de Temp. t. 10. p. 252.
[92] Chrys. Hom. 22. de Ira, t. 1. p. 277. et Hom. 10. in Gen. t. 2. p. 91. See before, sect. 14.

should be more eminent in the exercise of mercy toward their brethren. Upon this account the imperial laws forbade all prosecution of men in criminal actions, which might bring them to corporal punishment and torture, during the whole season. Theodosius the Great made two laws to this purpose: In the forty days, which by the laws of religion[93] are solemnly observed before Easter, let the examination and hearing of all criminal questions be superseded: and in the holy days of Lent, let there be[94] no punishments of the body, when we expect the absolution of our souls. St. Ambrose[95] mentions a like answer given by the younger Valentinian, in the case of some rich noblemen, who were prosecuted in a criminal cause before the provost of the city, who inclined to give a speedy sentence against them: but the emperor sent him an inhibition, forbidding any sentence of blood to be pronounced during the holy season. Nor was there any exception made to this rule, but only in the case of the Isaurian robbers, whose practices were so very dangerous to the common safety, that Theodosius junior thought it proper to allow their examination by scourging and the rack at any time, not excepting any day in Lent[96] or the Easter festival, because it was greater charity to discover their wicked counsels and conspiracies, to preserve the life and safety of other innocent men, than to grant any reprieve or respite to such criminals upon the account of the holy season. So that mercy and charity was still the thing in view, as most proper to be showed to the bodies of men at such a season, when all expected by their fasting and repentance to obtain absolution of their souls from the hands of God, as one of the forementioned laws elegantly words it.

Sect. 20. Religious assemblies and sermons every day in Lent.

Lent was a time of more than ordinary strictness and devotion, and therefore in many of the great churches they had religious assemblies for prayer and preaching every day throughout the whole season. I cannot affirm that it was so in every parochial church and country village; but that it was so in the greater or cathedral churches, is evident from undeniable proofs and matter of fact. Chrysostom's homilies on Genesis, and those famous ones of the statues, called Ἀνδριάντες, to the people of Antioch, were sermons preached after this manner day after day in the Lent season; as any one may be satisfied that looks but into them. I will only relate one single passage in one of these homilies,[97] which will give any reader satisfaction. This is not, says he, the only thing that is required, that we should meet here every day, and hear sermons continually, and fast the whole Lent. For if we gain nothing by these continual meetings and exhortations and season of fasting to the advantage of our souls, they will not only do us no good, but be the occasion of a severer condemnation. If, after so much care and pains bestowed upon us, we continue the same; if the angry man does not become meek, and the passionate mild and gentle; if the envious does not reduce himself to a friendly temper, nor the covetous man depart from his madness and fury in the pursuit of riches, and give himself to almsdeeds and feeding the poor; if the intemperate man does not become chaste and sober, and the vain-glorious learn to despise false honour, and seek for that which is true; if he that is negligent of charity to his neighbour, does not stir up himself, and endeavour not only not to come behind the publicans, (who love those that love them,) but also to look friendly upon his enemies, and exercise all acts of charity toward them; if we do not conquer these affections and all others that spring up from our natural corruption; though we assemble here every day, and enjoy continual preaching and teaching, and have the assistance of fasting; what pardon can we expect, what apology shall we make for ourselves? By this it is plain, no day passed in Lent without a sermon to put men in mind of the great duties of Christianity, and reformation and repentance, which were more peculiar to the design of that holy season.

Sect. 21. And frequent communions, especially on the sabbath and the Lord's day.

They had also frequent communions at this time, at least on every sabbath and Lord's day. For though the festivals of martyrs were not ordinarily to be celebrated in this time of humiliation, yet the sabbath and the Lord's day were kept as standing festivals even in Lent, as has been showed before; and therefore on these days they offered the oblation of bread and wine in the eucharist, as at other seasons. But by a canon of the council of Laodicea[98] this oblation seems confined to those two days; for it is prohibited to offer it upon any other: and that may seem to imply, that there was no communion on any other days in Lent. But then it may be considered, that in the time of the council of Trullo[99] there was a custom of communicating on other days in Lent upon the presanctified elements, that is, such as had been consecrated the Lord's day before: and if we can suppose this

[93] Cod. Theod. lib. 9. Tit. 35. de Quæstionibus, Leg. 4. Quadraginta diebus, qui, auspicio cærimoniarum, Paschale tempus anticipant, omnis cognitio inhibeatur criminalium quæstionum.

[94] Ibid. Leg. 5. Sacratis Quadragesimæ diebus nulla supplicia sint corporis, quibus absolutio expectatur animarum.

[95] Ambros. de Obitu Valentin. Ut nihil cruentum sanctis præsertim diebus statueretur.

[96] Cod. Theod. lib. 9. Tit. 35. de Quæstionibus, Leg. 7 Provinciarum judices moneantur, ut in Isaurorum latronum quæstionibus nullum Quadragesimæ, nec venerabilem Pascharum diem existiment excipiendum, &c.

[97] Chrys. Hom. 11. in Gen. t. 2. p. 107.

[98] Conc. Laodic. can. 49.

[99] Conc. Trull. can. 52.

custom to have been anciently in the church, then nothing hinders but that they might have a daily communion in Lent, as well as a daily sermon; which seems most agreeable to the fervent piety of those primitive ages: but in a doubtful matter I will not be positive, seeing there is otherwise evidence enough for frequent communion in Lent, by supposing it only to be administered on every sabbath and Lord's day.

Sect. 22. All public games and stage-plays prohibited at this season.

For the further advancement of piety and encouragement of religious assemblies at this season, all public games and stage-plays were utterly forbidden by the laws of the church. Gothofred[100] thinks the whole time of Lent is included in that famous law of Theodosius junior, which prohibits all public games and shows on days of supplication, when the minds of Christians ought wholly to be employed in the worship of God. For though Lent be not expressly named in that law, yet it is comprised in the general name of the days of supplication. And it is certain the church was very solicitous to restrain men from these pleasures and diversions at this holy season. Gregory Nazianzen[101] has a very sharp epistle written to one of the judges upon this occasion, wherein he thus rebukes him: You that are a judge transgress the laws in not observing the fast: and how will you observe the laws of man, who transgress and despise the laws of God? Purge the judgment-seat, lest one of these two things befall you, either to be really wicked, or to be thought so. To exhibit profane shows is to make yourself a spectacle. In a word, stand corrected, O judge, and you will sin less for the future. St. Chrysostom, in his Lent sermons, with equal zeal sets himself to chastise and correct this grand abuse of the holy season. He prefaces one of these homilies with this sharp invective against those that frequented the horse-racings of the cirque at this time: When I consider, says he,[102] how at one blast of the devil ye have forgotten all my daily admonitions and continued discourses, and run to that pomp of Satan, the horse-race in the cirque; with what heart can I think of preaching to you again, who have so soon let slip all that I said before? This is what chiefly raises my grief, yea, my anger and indignation, that together with my admonition ye have cast the reverence of this holy season of Lent out of your souls, and thrown yourselves into the nets of the devil. What profit is there in your fasting? What advantage in your meeting together so often in this place? He pursues the same argument in the next discourse,[103] dissuading them in a very pathetical way to wave this unseasonable practice: Subdue, I beseech you, this wicked and pernicious custom; and consider, that they who run to the cirque, not only do much harm to themselves, but are the occasion of great scandal to others. For when the Jews and Gentiles see you, who are every day at church to hear a sermon, come notwithstanding to the horse-race, and join with them in the cirque; will they not reckon our religion a cheat, and entertain the same suspicion of us all? They will sharpen their tongues against us all, and for the offence of a few condemn the whole body of Christians. Neither will they stop here, but rail at our Head, and for the servants' fault blaspheme our common Lord, and think that a sufficient apology and excuse for their own errors, that they have something to object to the life and conversation of others. By this it appears, there was no pardon for those who were so eager after the public diversions, as to follow them in Lent, when men's public professions of repentance, humiliation, and sorrow made it utterly unseasonable and absurd to pursue the vain recreations and pleasures of the world, which at such a juncture could become none but those who lived in darkness and heathenish superstition.

Sect. 23. As also the celebration of all festivals, birthdays, and marriages, as unsuitable to the present occasion.

For the same reason they forbade the celebration of all festivals of martyrs at this season, except it were upon the sabbath or the Lord's day; because all festivals were days of rejoicing, which were not consistent with deep humiliation and mourning belonging to a strict and severe fast: but the sabbath and the Lord's day were excepted from fasting even in Lent, as has been noted before; and therefore on these days the festivals of martyrs might be celebrated, but on no other during the whole time of Lent, as appears from an express canon of the council of Laodicea[104] made in this behalf. And by another canon of the same council[105] all celebration of marriages and birthdays are absolutely forbidden in Lent: where by birthdays, called γενέθλια in the canon, we are to understand private men's natural birthdays, which being celebrated with great tokens and solemnities of joy, with feasting and other ceremonies of pleasure and delight, were not proper to be kept in the time of fasting, as being things inconsistent and incompatible with one another; and the rather to be forborne, because at this time the church did not allow the solemnizing of the nativities or birthdays of her martyrs, which otherwise were of great esteem in the church.

Sect. 24. The great week before Easter observed with greater strictness and solemnity.

These were the common rules observed in keeping the Lent fast, when it was come to the length of forty days. But there was one week, called the

[100] Cod. Theod. lib. 15. Tit. 5. de Spectaculis, Leg. 5. et Gothofred. in loc.

[101] Naz. Ep. 71. al. 74. ad Celeusium.

[102] Chrys. Hom. 6. in Gen. t. 2. p. 49.

[103] Hom. 7. ibid. p. 61.

[104] Conc. Laodic. can. 51. [105] Can. 52. ibid.

hebdomas magna, or the great week before Easter, which they observed with greater strictness and solemnity above all the rest. No one can better describe it to us than St. Chrysostom,[106] who tells us, it was called the great week, not because it consisted of longer days or more in number than other weeks, but because at this time great things were wrought for us by our Lord. For in this week the ancient tyranny of the devil was dissolved, death was extinct, the strong man was bound, his goods were spoiled, sin was abolished, the curse was destroyed, paradise was opened, heaven became accessible, men and angels were joined together, the middle wall of partition was broken down, the barriers were taken out of the way, the God of peace made peace between things in heaven and things on earth; therefore it is called the great week: and as this is the head of all other weeks, so the great sabbath is the head of this week, being the same thing in this week as the head is in the body. Therefore in this week many increase their labours; some adding to their fastings, others to their watchings; others give more liberal alms, testifying the greatness of the Divine goodness by their care of good works, and more intense piety and holy living. As the Jews went forth to meet Christ, when he had raised Lazarus from the dead; so now, not one city, but all the world go forth to meet him, not with palm-branches in their hands, but with almsdeeds, humanity, virtue, fasting, tears, prayers, fastings, watchings, and all kinds of piety, which they offer to Christ their Lord. And not only we, but the emperors of the world honour this week, making it a time of vacation from all civil business, that the magistrates, being at liberty from business of the law, may spend all these days in spiritual service. Let the doors of the courts, say they, now be shut up; let all disputes, and all kinds of contention and punishment, cease; let the executioner's hands rest a little: common blessings are wrought for us all by our common Lord, let some good be done by us his servants. Nor is this the only honour they show to this week, but they do one thing more no less considerable. The imperial letters are sent abroad at this time, commanding all prisoners to be set at liberty from their chains. For as our Lord, when he descended into hell, set free those that were detained by death; so the servants, according to their power imitating the kindness of their Lord, loose men from their corporal bonds, when they have no power to relax the spiritual. All this is repeated by Chrysostom in another of his Lent sermons,[107] much in the same words, which therefore it is needless to recite at length in this place; but it will not be improper to review the particulars, and confirm them by parallel passages of other writers. It is evident, the strict observation of this week was in use in the time of Dionysius, bishop of Alexandria, who was scholar to Origen, though with some difference, according to men's ability or zeal in observing it; for he thus speaks of it in his canonical epistle:[108] Some make a superposition of the whole six days, continuing all the time without eating; some add two days together, some three, some four, and some not one. Now, to those who have borne such superpositions, continuing without sustenance, and grow unable to hold out, and are ready to faint, to them leave is to be given for an earlier refreshment. But if there be any, who have been so far from superponing the preceding days, that they have not so much as kept a common fast, but, it may be, have feasted on them, and then coming to the two last days, Friday and the Saturday, have kept a fast of superposition on them, and think they do a great thing if they hold out till break of day; I cannot think these have striven equally with those who have been engaged in the exercise more days before.

Sect. 25. What meant by the fasts, called ὑπερθέσεις, and *superpositiones*, superpository or additional fasts in this week.

It is plain from hence, that in this great week many made an addition to the common way of fasting. For whereas in the foregoing part of Lent they took some refreshment every evening, and never fasted on the sabbath; now they not only fasted on the sabbath in this week, but added to it, some one day, some two, some three, some four, some five days, which they passed in perfect abstinence, eating nothing all this week till the morning of the resurrection. This kind of fasting the Greeks call ὑπερθέσεις, and the Latins *superpositiones*, superpository or additional fasts. Dionysius, in the place last mentioned, uses the name ὑπερτιθέμενοι, for those that passed the whole six days fasting. And Epiphanius, speaking[109] of the manner of observing the same six days, says, All the people kept them ἐν ξηροφαγίᾳ, living on dry meats, namely, bread and salt and water, which they only used at evening: and they that were more zealous, superadded two, three, and four days, and some the whole week, till cock-crowing on Sunday morning. Where we may observe two sorts of additions made to the common fast in this week above others; first, that they confined themselves to the use of dry meats only, which they did not generally in the former part of Lent; and, secondly, that they continued their fast for several days together with-

[106] Chrys. Hom. in Psal. cxlv. sive de Hebdomade Magna, t. 3. p. 821.

[107] Chrys. Hom. 30. in Gen. t. 2. p. 426.

[108] Dionys. Epist. Canon. can. 1. ap. Bevereg. Pandect. t. 2. p. 3.

[109] Epiphan. Exposit. Fid. n. 23. Οἱ δὲ σπουδαῖοι διπλᾶς καὶ τριπλᾶς καὶ τετραπλᾶς ὑπερτίθενται, καὶ ὅλην τὴν ἑβδομάδα τινὲς ἄχρι ἀλεκτρυόνων κλάγγης, τῆς κυριακῆς ἐπιφωσκούσης. Vid. Constit. Apost. lib. 5. cap. 18.

out any sustenance, some passing over the whole six days in this rigorous way without any abatement. And so Epiphanius represents it in another place,[110] where he speaks of the manner of observing the holy week of the *Pasch:* Some continued the whole week ὑπερτιθέμενοι, making one continued fast of the whole; others eat after two days, and others every evening. This was otherwise called ἐπισυνάπτειν, and *jejunia conjungere et continuare,* as we find in Sozomen and Tertullian. For Sozomen,[111] speaking of Spiridion's way of observing the great Paschal week, says, At that time he was used with his whole family ἐπισυνάπτειν τὴν νηστείαν, to join one day of fasting to another, and only eat at a certain day, continuing without any food all the days between. And this in Tertullian's phrase is *jejunia conjungere,* to join one day of fasting to another;[112] and *sabbatum continuare cum jejuniis Parasceues,*[113] to make Friday and Saturday in the Passion week one continued fast. This was an exercise which many of those who followed the ascetic life used at other times: for Evagrius, speaking of the monks of Palestine, says,[114] they observed τὰς καλουμένας ὑπερθεσίμους, those called superpository fasts, continuing them for two or three days, and some for five days together. This in the Latin writers is called *superpositio jejunii:* as in the fragment of Victorinus Petavionensis, published by Dr. Cave,[115] where he speaks of the several sorts of fasts observed among Christians, some of which were only till the ninth hour, some till evening, and some with a superposition or addition of one fasting day to another. Though we must note, that the superposition of a fast is not always taken in this sense, but sometimes denotes a new-appointed fast of any kind, though it had nothing extraordinary but only the newness of the imposition in it, as we find in the council of Eliberis,[116] of which more hereafter in its proper place.

Sect. 26. Christians more liberal in their alms and charity this week above others.

The next addition mentioned by Chrysostom, as made in the spiritual exercise and observation of this week, is their more liberal distribution of alms to the poor, and exercise of all kinds of charity to those that stood in need of it. For the nearer they approached to the passion and resurrection of Christ, by which all the blessings in the world were poured forth upon men, the more they thought themselves obliged to show all manner of acts of mercy and kindness toward their brethren.

Sect. 27. This week a week of rest and liberty for servants.

Particularly this week before Easter, and the following week, was a time of rest and liberty to servants. Many in great charity had their freedom granted them, in imitation of the spiritual liberty which Christ at this time had procured for all mankind. This is clear from what has been showed before[117] out of Gregory Nyssen, and the laws of Theodosius, which allow all juridical acts done in favour of slaves in the fifteen days of the Paschal solemnity, in which both the *Pasch* of the cross and the *Pasch* of the resurrection are equally included. Both these weeks likewise were equally set apart for Divine service: and for that reason all servants had a vacation from their ordinary bodily labour, that they might have more leisure and opportunity to attend the worship of God and concerns of their souls. The author of the Constitutions,[118] in conformity to this custom, which he found in the practice of the church, gives this direction: In the whole great week (before Easter) and the week following, let servants rest from their labour; because the one is the time of our Lord's passion, and the other of his resurrection; and servants have need to be instructed in the knowledge of those mysteries.

Sect. 28. A general release granted at this time by the emperors to all prisoners, both debtors and criminals, some particular cases of criminals only excepted.

That particular sort of charity which Chrysostom speaks of, as showed by the emperors to all prisoners, as well criminals as debtors, in granting them a general release out of prison at this season, is demonstrated from the imperial laws still in being: for they are said to grant this indulgence with a particular respect to the Paschal solemnity, which includes as well the great week before, as the week following Easter-day.[119] And so not only Chrysostom, but St. Ambrose[120] understood it, when he said, The holy days of the last week in Lent was the time when the bonds of debtors used to be loosed. Wherefore whatever has been said before of this indulgence as belonging to the Easter festival, is so to be understood as belonging to this holy and great week of our Saviour's passion, when these indulgences first commenced, and continued in force till the whole festival was ended.

Sect. 29. All processes at law, as well civil as criminal, suspended this whole week before Easter.

What Chrysostom says further of the emperor's commanding all suits and processes at law to cease in this great week, and the tribunal doors to be shut up, is taken from the express words of the

[110] Epiphan. Hær. 29. Nazaræor.
[111] Sozom. lib. 1. cap. 11.
[112] Tertul. de Patient. cap. 13.
[113] Ibid. de Jejun. cap. 14. Vid. Constitut. Apostol. lib. 5. cap. 18.
[114] Evagr. lib. 1. cap. 21.
[115] Victorin. de Fabrica Mundi, ap. Cave, Hist. Literar. vol. 1. p. 103. Ratio ostenditur, quare usque ad horam nonam jejunamus, usque ad vesperam, aut superpositio usque in alterum diem fiat.
[116] Conc. Eliberit. can. 23 et 26.
[117] Book XX. chap. 5. sect. 6 and 7.
[118] Constit. lib. 8. cap 33.
[119] Cod. Theod. lib. 9. Tit. 38. de Indulgent. Criminum, Leg. 3 et 4.
[120] Ambros. Ep. 33.

law of Theodosius, still extant in both the Codes. For these appointing what days shall be exempted from juridical actions, expressly mention[121] the fifteen days of the Paschal solemnity, the week preceding and the week following Easter. St. Austin[122] speaks of the same; and Scaliger[123] mentions a law of Constantine, wherein he had made a like decree, that the two Paschal weeks, the one immediately before, and the other following Easter, should be exempted from all business of the law. The design of which was, that nothing of animosity, or contention, or cruelty, or punishment, or bloodshed, should appear at this holy season, when all men were labouring to obtain mercy and pardon by the blood of Christ; and that men, sequestering themselves from all civil and worldly business, might with greater assiduity attend the exercises of piety which were peculiar to the solemn occasion.

Sect. 30. The Thursday in this week, how observed.

The Thursday in this week, which was the day on which Christ was betrayed, and instituted the communion at his last supper, was observed with some peculiar customs. For on this day, in some of the Latin churches, the communion was administered in the evening after supper, in imitation of the communion of the apostles at our Lord's last supper; as we find by a provision made in one of the canons of the third council of Carthage,[124] That the sacrament of the altar should always be received by men fasting, except on one anniversary day, when the Lord's last supper was solemnly commemorated. St. Austin[125] takes notice of the same custom, and withal observes, That the communion in some places was administered twice on this day; in the morning for the sake of such as could not keep the day a fast, and in the evening for those that fasted till evening, when they ended their fast, and received the communion after supper. He likewise tells us, There was a particular reason why many could not fast upon this day, and therefore they received the communion in the morning; for it was customary with many, who had kept Lent, to bathe and wash their bodies on this day, as the catechumens did, in order to appear decently, pure and clean from the filth which their bodies might have contracted by the austerities of Lent, when they came to be baptized on the vigil, or night between the great sabbath and Easter-day: they could not bear both bathing and fasting, and therefore they fasted not on this day, but received the communion in the morning, and eat their dinner as at other times; whilst others fasted all the day, and received the communion after supper.

On this day the *competentes*, or candidates of baptism, publicly rehearsed the creed before the bishop or presbyters in the church, as we learn from the council of Laodicea,[126] which fixes this rehearsal to the fifth day of the great week; and from Theodorus Lector,[127] who says, Timotheus, bishop of Constantinople, was the first that ordered the creed to be recited in every church assembly, which before was used to be repeated only once a year by the catechumens on the *Parasceue*, or preparation to our Saviour's passion, when the bishop was wont to catechise them.

On this day it was customary for servants to receive the communion, as we find in Joannes Moschus,[128] who tells us a remarkable story of one who laid up the eucharist in his chest, which he had brought home from church with him *τῇ ἁγίᾳ καὶ μεγάλῃ πέμπτῃ*, on this great and holy fifth day of the Passion week; under which name we find it also in the title of one of Chrysostom's sermons upon this day,[129] *τῇ ἁγίᾳ καὶ μεγάλῃ πεντάδι*. The modern ritualists call it Maundy Thursday, *Dies Mandati*, because on this day our Saviour washed his disciples' feet, and gave them commandment to follow[130] his example; or because he instituted the sacrament of his supper upon this day, commanding his disciples to do the same in remembrance of him, as others[131] expound it. But the pope's custom of excommunicating all people and princes, that are enemies to the Roman church, on this day; and among the rest the king of[132] Spain, for invading the rights of the church (whom he absolves again without asking any pardon on Good Friday); as it is a grand ridicule and mock of church discipline, so it is without all foundation in the practice of the ancient church.

Sect. 31. Of the Passion day, or the *Pasch* of our Lord's crucifixion.

Some, with greater probability, suppose, that such public penitents as had completed their penance for one, two, three years, or more, the Lent preceding, (for the years of penance were usually reckoned from Easter to Easter,) were absolved on this day. At least it is certain they were reconciled either this or the day following. For St. Ambrose[133] says very expressly, that the day of relaxation of penance in the church, was the day on

[121] Cod. Theod. lib. 2. Tit. 8. de Feriis, Leg. 2. Sanctos quoque Paschæ dies, qui septeno vel præcedunt numero, vel sequuntur, in eadem observatione numeramus.

[122] Aug. Serm. 19. ex editis a Sirmondo.

[123] Scaliger. de Emendat. Tempor. lib. 7. p. 776.

[124] Conc. Carth. 3. can. 23. Ut sacramenta altaris non nisi a jejunis hominibis celebrentur, excepto uno die anniversario, quo cœna Domini celebratur.

[125] Aug. Ep. 118. ad Januar. cap. 7.

[126] Conc. Laodic. can. 46.

[127] Theodor. lib. 2. p. 563.

[128] Mosch. Prat. Spir. cap. 79.

[129] Chrys. Hom. 30. de Proditione Judæ, t. 5. p. 453.

[130] See Bishop Sparrow's Rationale on the Common Prayer, p. 135.

[131] See L'Estrange, Alliance of Div. Offic. p. 142.

[132] Bull. in Cœna Domini. Moulin, Buckler of Faith.

[133] Ambros. Ep. 33. ad Sororem. Erat dies quo sese Dominus pro nobis tradidit, quo in ecclesia pœnitentia relaxatur.

which our Lord gave himself for us. Which must mean either the day on which he was betrayed by Judas; or the day of his passion, when he offered himself a sacrifice for the sins of mankind; that is the *Parasceue*, or Good Friday, or the *Pasch*, as it is often called, meaning the *Pasch* of the cross, Πάσχα σταυρώσιμον, in opposition to the Πάσχα ἀναστάσιμον, or *Pasch* of the resurrection. Nor was it only particular absolutions that were granted to public penitents on this day of the passion, but a general absolution or indulgence was proclaimed to all the people observing the day with fasting, prayers, and true contrition or compunction. As we find in the fourth council of Toledo, which makes a complaint, that in some of the Spanish churches the day of the Lord's passion was not regularly observed; for the church doors were shut up, and no Divine service performed: wherefore they order,[134] that the mystery of the cross should be preached on this day, and that all the people should wait for the indulgence or absolution, that, being cleansed by the compunction of repentance and remission of sins, they might worthily celebrate the venerable feast of the Lord's resurrection, and come pure and clean to partake of the sacrament of his body and blood. They further condemn[135] such as ended their fast on this day at the ninth hour, and order, that all, except little children, old men, and the sick, should spend the whole day in abstinence and mourning, and not give over their fast, *ante peractas indulgentiæ preces*, before the prayers of absolution were ended. Whence it may be inferred, that this absolution was the close of the public service of this day, which whoever did not attend, was to be denied the communion on Easter-day, because, as the canon words it, he paid not a due respect by abstinence to the passion of his Lord. Indeed this day, as we have seen before, was one of those two great days which all Christians in general thought themselves obliged strictly to observe: even they who kept no other Lent, religiously observed these, as the days on which the Bridegroom was taken from them: and that seems to be the reason why this canon treats those with a little more severity who neglected the day of our Saviour's passion, because they contemned the general custom and observation of Christians.

Sect. 32. Of the Saturday or great sabbath before Easter.

The Saturday or sabbath in this week was commonly known by the name of the great sabbath;[136] as we find it termed in Chrysostom and others. It had many peculiarities belonging to it. For this was the only sabbath throughout the year that the Greek churches and some of the Western kept as a fast. All other sabbaths, even in Lent, were observed as festivals together with the Lord's day, as has been showed several times before: but this great sabbath was observed as a most solemn fast, which some joined with the fast of the preceding day, and made them both but one continued fast of superposition; and they who could not thus join both days together without some refreshment, yet observed the Saturday with great strictness, holding out their fast till after midnight, or cock-crowing in the morning. Thus we find it ordered in the Constitutions,[137] conformable to the practice of the church: Let as many as are able fast the Friday and the sabbath throughout, eating nothing till cock-crowing in the morning: but if any cannot τὰς δύο συνάπτειν ὁμοῦ, join both days together in one continued fast, let him, however, keep the sabbath a fast; for the Lord, speaking of himself, said, "When the Bridegroom shall be taken away from them, in those days shall they fast." So this day was kept a universal fast over the whole church; and they continued it not only till evening, but till cock-crowing in the morning, which was the supposed time of our Saviour's resurrection. The preceding time of the night was spent in a vigil or pernoctation, when they assembled together to perform all parts of Divine service, psalmody, and reading the Scripture, the law, the prophets, and the gospel, praying, and preaching, and baptizing such of their catechumens as presented themselves to baptism: all which acts are particularly mentioned by the author of the Constitutions,[138] in his description of the Paschal vigil. The account of the several vigils observed in the church has been given in a former Book:[139] here I only take notice of this one, which was the most famous of all others, between the great sabbath and Easter-day. Of which there is frequent mention made in the ancient writers, Chrysostom,[140] Epiphanius,[141] Palladius,[142] Gregory Nyssen,[143] and many others. Particularly Lactantius and St. Jerom tell us, they observed it upon a double account. This is the night, says Lactantius,[144] which we observe with a pernoctation or watching all the night for the advent of our King and God: of which night there is a twofold reason to be given, because in this night our Lord was raised to life again after his

134 Conc. Toletan. 4. can. 6. Oportet eodem die mysterium crucis prædicari, atque indulgentiam criminum clara voce omnem populum præstolari, &c.

135 Ibid. can. 7.

136 Chrys. Ep. 1. ad Innocent. t. 4. p. 680.

137 Constit. lib. 5. cap. 18.

138 Ibid. cap. 19.

139 Book XIII. chap. 9. sect. 4.

140 Chrys. Hom. 30. in Gen. p. 426. Ep. 1. ad Innocent. t. 4. p. 680.

141 Epiphan. Expos. Fid. n. 22.

142 Pallad. Vit. Chrysost. cap. 9.

143 Nyssen. Orat. in Resur. Domin.

144 Lact. lib. 7. cap. 19. Hæc est nox quæ nobis propter adventum regis ac Dei nostri pervigilio celebratur: cujus noctis duplex ratio est, quod et in ea vitam tum recepit, cum passus est; et postea orbis terræ regnum recepturus est.

passion; and in the same he is expected to return to receive the kingdom of the world, that is, to come to judgment. St. Jerom[145] says, It was a tradition among the Jews, that Christ would come at midnight, as he did upon the Egyptians at the time of the passover: and thence, he thinks, the apostolical custom came, not to dismiss the people on the Paschal vigil before midnight, expecting the coming of Christ; after which time, presuming upon security, they keep the day a festival. Eusebius[146] says, In the time of Constantine this vigil was kept with great pomp; for he set up lofty pillars of wax to burn as torches all over the city, and lamps burning in all places, so that the night seemed to outshine the sun at noon-day. Nazianzen also[147] speaks of this custom of setting up lamps and torches both in the churches and their own private houses: which, he says, they did as a *prodromus* or forerunner of that great Light the Sun of righteousness arising on the world on Easter-day. Tertullian intimates, that this vigil was solemnly kept in his time by all sorts of people, by women as well as men: for writing against the marriage of Christian women with heathens, among other arguments he puts this question[148] to them, to dissuade them from such dangerous engagements: What unbelieving husband will be content to let his wife be absent from him all night at the celebration of the Paschal vigil? And it is plain from Socrates, that the sectaries as well as the catholics had this night in great veneration: for it was upon one of these Paschal vigils,[149] that the Sabbatians, who were a subdivision of the Novatian schismatics, were seized with such a panic terror in the night, that flying in a strange confusion through a strait passage from the place where they were met, they pressed so hard upon one another, that threescore and ten of them were trodden to death.

This night was famous above all others for baptizing of catechumens; as we learn not only from the general account given of the ancient time of baptizing, as fixed chiefly to the Paschal solemnity; but more particularly from those sad relations made by Chrysostom[150] and Palladius[151] of the barbarous invasion of Chrysostom's church, and the assaults made upon him and his clergy and people, as they were assembled together this night to keep the Paschal vigil, and baptize the catechumens. Where, among other grievous acts of hostility, they take notice of this one unparalleled instance of indecent cruelty, that the enemy forced the women catechumens, who were divested in order to baptism, to fly away naked, and slew many of them in the very baptisteries, making the holy fonts swim with blood. And yet in this one night, notwithstanding the tumult, three thousand persons were baptized, as is particularly noted by Palladius; from whence it is easy to conclude, that this night was a celebrated time of baptism; and that as the penitents were restored the day before to the communion, which they had lost, so on this day the catechumens were made complete Christians, and admitted to the communion, which they never had before, and both in order to participate of the holy eucharist on Easter-day. So we have seen the whole practice of the church from first to last in relation to the observation of Lent, or the first great anniversary fast of forty days.

CHAPTER II.

OF THE FASTS OF THE FOUR SEASONS; OF MONTHLY FASTS, AND THE ORIGINAL OF EMBER WEEKS AND ROGATION DAYS.

Sect. 1. The fast of March, or the first month, the same with the Lent fast.

THE next anniversary fasting days were those which were called *jejunia quatuor temporum*, the fasts of the four seasons of the year. These were called the fasts of the first, fourth, seventh, and tenth months, or the fasts of the spring, summer, autumn, and winter, observed in March, June, September, and December, which were accounted the beginning of the four several seasons of the year. These were at first designed, not to be the seasons of ordination, but to beg a blessing of God upon the several seasons of the year, or to return thanks for the benefits received in each of them, or to exercise and purify both body and soul in a more particular manner at the return of these certain terms of stricter discipline and more extraordinary devotion. One of the first that speaks formally of these fasts under the name and number of the four seasons is Pope Leo, in his sermons about the year 450, in one of which he thus recounts them: The ecclesiastical fasts are so distributed through the whole year, that there is a law of abstinence affixed to all the four[1]

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[145] Hierom. in Mat. xxv. 6. Traditio Judæorum est, Christum media nocte venturum, in similitudinem Ægyptii temporis, quando Pascha celebratum est, et exterminator venit, et Dominus super tabernacula transiit, et sanguine agni postes nostrarum frontium consecratæ sunt. Unde reor et traditionem apostolicam permansisse, ut in die vigiliarum Paschæ, ante noctis dimidium populos dimittere non liceat expectantes adventum Christi, &c.

[146] Euseb. Vit. Const. lib. 4. cap. 22 et 57.

[147] Naz. Orat. 42. de Pasch. p. 676.

[148] Tertul. ad Uxor. lib. 2. cap. 4. Quis denique solennibus Paschæ abnoctantem securus sustinebit?

[149] Socrat. lib. 7. cap. 5.

[150] Chrys. Ep. 1. ad Innocent. t. 4. p. 680.

[151] Pallad. Vit. Chrysost. cap. 9.

[1] Leo, Serm. 8. de Jejun. 10. Mensis. Ita per totius anni

seasons; for we keep the spring fast in Lent, the summer fast in Pentecost, the autumnal fast in the seventh month, and the winter fast in the tenth month. In another place[2] he says, These fasts are incessantly renewed with the course of days and times, that the medicinal power of them may put us in mind of our infirmities. Philastrius[3] also speaks of four noted annual fasts kept by the church in the course of the year; but instead of the fast of September he puts the fast of Epiphany, reckoning them in this order: The church celebrates four fasts in the year; the first before the Nativity, the second before the *Pasch*, the third before Epiphany, and the fourth in Pentecost. So that these four fasts were not exactly the same in the time of Philastrius that they were in the time of Pope Leo. The spring fast, or the fast before Easter, is evidently the Lent fast, of which we have spoken before; for as yet there was no particular week in Lent set aside for ordinations, to make a distinct fast of it, as we shall see hereafter.

Sect. 2. The fast of Pentecost.

The fast of Pentecost, which Leo calls the summer fast, is mentioned also by Athanasius: for in his apology to Constantius[4] he says, The people in the week after the holy Pentecost, having finished their fast, went to pray in the cemetery or church-yard. The council of Girone in Spain[5] fixes this to the week after Pentecost, so that after the solemnity of that festival was over, a three days' fast was to be kept on Thursday, Friday, and Saturday in the week immediately following. The second council of Tours[6] appoints the whole week after Pentecost to be kept an exact fast by those of the monastic life. But whether this was in the week following Whit Sunday, or the week after that, appears not from those canons. Neither were these fasts of the four seasons so fixed to any certain week, but that they sometimes varied a week or more in their observation, as appears from the council of Salegunstade,[7] which gives particular directions how to order and accommodate these variations. And in one of our English councils held at Oxford[8] under Stephen Langton, anno 1222, which settles the fasts of the four seasons, it is intimated, That the fast of Pentecost was differently observed by many; for some kept it in the week after the Litanies, or Rogation days, and others in the week of Pentecost. Which shows, that there was no universal rule or tradition about this fast in the church.

Sect. 3. The fast of the seventh month, or the autumnal fast.

The fast of the seventh month, or the autumnal fast, is not so much as mentioned by Philastrius, nor any other writer that I know of, before Pope Leo. But after him Gelasius[9] speaks of it as one of the four solemn times of ordination, which were always accompanied with fasting from the time that they were first introduced into the church: but this was not till after the time of Pope Leo;[10] for though he often speaks of the fast of September, or the seventh month, yet he never so much as intimates, that it was a stated time of ordination, but assigns other reasons for it, because it was fit men should purge themselves from sin at the return of every various season of the year.

Sect. 4. The Advent or Nativity fast, called the fast of December, or the tenth month.

The fast of December, or the tenth month, by some called the Advent or Nativity fast, is mentioned by Philastrius, as one of the four solemn fasts of the church. This fast anciently was kept from the festival of St. Martin till Christmas-day, three days in the week, Mondays, Wednesdays, and Fridays, as we find in the first council of Mascon, which orders, That it should be observed after the manner of Lent, that is, that the oblation should not be celebrated on[11] those days, and that the canons should be read at this time, that no one might pretend ignorance for the non-observance of them. The second council of Tours[12] appoints the monks to fast every day during this season. But in the councils of Salegunstade[13] and Oxford[14] this fast is reduced to the week immediately before Christmas.

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circulum distributa sunt, ut lex abstinentiæ omnibus sit ascripta temporibus: si quidem jejunium vernum in Quadragesima, æstivum in Pentecoste, autumnale in mense septimo, hyemale autem in hoc, qui est decimus, celebramus.

[2] Serm. 7. de Jejun. Decimi Mensis. Et Serm. 9. de Jejun. Septimi Mensis.

[3] Philastr. Hær. 97. Bibl. Patr. t. 4. p. 48. Per annum quatuor jejunia in ecclesia celebrantur: in natali primum, deinde in Pascha, tertium in Epiphania, quartum in Pentecoste.——Ab Ascensione inde usque ad Pentecosten diebus decem.

[4] Athan. Apol. de Fuga, t. 1. p. 704.

[5] Conc. Gerundens. can. 2. Ut expleta solennitate Pentecostes, in sequenti septimana, a quinta feria in sabbatum, per hoc triduum abstinentia celebretur.

[6] Conc. Turon. 2. can. 17. Post Quinquagesimam tota hebdomada exacte jejunent.

[7] Conc. Salegunstad. an. 1022. can. 2.

[8] Conc. Oxon. can. 8. Conc. t. 11. p. 275. In Martio prim ahebdomada jejunandum est feria quarta et sexta et sabbato. In Junio in secunda, quod dupliciter observatur a pluribus, in prima hebdomada post Litanias, aut in hebdomada Pentecostes. In Septembri per tres dies. In proxima septimana integra ante natalem Domini.

[9] Gelas. Ep. 9. ad Episcopos Lucaniæ, cap. 11.

[10] Leo, Serm. 9. de Jejun. 7. Mensis, p. 88.

[11] Conc. Matiscon. 1. can. 9. Ut a feria Sancti Martini usque ad natalem Domini secunda, quarta et secta sabbati jejunetur, et sacrificia Quadragesimali ordine celebrentur. In quibus diebus canones legendos esse sancimus, ut nullus fateatur se per ignorantiam deliquisse.

[12] Conc. Turon. 2. can. 18. De Decembri usque ad natalem Domini omni die jejunent.

[13] Conc. Salegunstad. can. 2. In Decembri illud observandum erit, ut proximo sabbato ante vigiliam natalis Domini celebretur jejunium.

[14] Conc. Oxon. can. 8. ut supra. In proxima septimana integra ante natalem Domini jejunandum.

Sect. 5. The fast at Epiphany.

Besides these fasts at the four seasons, Philastrius mentions a fast before Epiphany, or rather, as has been observed before, put it in the room of the fast of September. The second council of Tours[15] takes notice of this, and tells us, It was a fast of three days, and that it was appointed particularly at that time in opposition to the heathen festivals, which they were used to observe with a great deal of corruption, and licentious revellings for three days together: which three days therefore the fathers rather chose to make days of abstinence and private Litanies, to restrain the people from running into the extravagant riots and excesses of the heathen. So that New-year's day, or Circumcision, was rather kept as a fast than a festival, for several ages in the church. For it appears from the foresaid council, that the calends of January was included in the three days which was called the Epiphany fast.

Sect. 6. Of monthly fasts.

In some places they had also monthly fasts throughout the year, except in the two months of July and August. Thus it was in Spain, by an order of the council of Eliberis, which orders,[16] That extraordinary fasts should be celebrated every month, except those two, because of the sickliness of the season. That these were something more than the ordinary fasts of Wednesday and Friday, seems evident from the name that is given them of fasts of superposition, which in this place denotes not the length of the fast, but the newness of the imposition, as Albaspinæus observes upon the place; though what sort of fasts they were is not very easy to determine. If I may be allowed to conjecture in an obscure matter, I should conclude this superposition of fasts was the addition of Monday to Wednesday and Friday, because we find it so in one of the French[17] councils, which, ordering the manner of fasting in several months of the year for those of the ascetic life, appoints them to fast three times a week, viz. on Monday, Wednesday, and Friday, from Pentecost till August; and so again for the months of September, October, and November. But August is excepted, because in this month every day almost was celebrated as the festival of some martyr,[18] with the manication, or morning-service proper to a festival. Besides that the council of Eliberis itself, in another canon[19] introducing the Saturday fast into Spain, which before was used to be a festival, for that reason calls it a fast of superposition, because it was newly taken into use in Spain, after the example of the church of Rome. But if this conjecture about monthly and superpository fasts be not satisfactory, every reader is at liberty to judge for himself upon better light and information.

Sect. 7. The original of the four Ember weeks, or ordination fasts.

Some think the Ember weeks, or ordination fasts, were the same with the fasts of the four seasons, and therefore commonly take it for granted, that what proves the one proves the other also. But I have formerly had occasion to show,[20] that for several ages there were no certain times of ordination settled by the church, but that she ordained persons to all offices and degrees at any time, as the necessity of affairs required. And when the fasts of the four seasons were first instituted, they were appointed for other ends, and not upon the account of ordinations: because the ordinations in the church of Rome were still performed in December only, after the fasts of the four seasons were in use, till Simplicius, about the year 467, added February to December. This is noted by Amalarius Fortunatus,[21] as I have showed before: and Mr. Wharton tells us,[22] he found the same remark made by Ivo Carnotensis in a manuscript book of his ecclesiastical offices. The council of Ments, in the time of Charles the Great, mentions the fasts of the four seasons,[23] and fixes them to the first week in March, the second week in June, the third week in September, and the week in December that comes immediately before Christmas-day; but yet says nothing of their being Ember weeks, or the fasts of ordination. And some think Gregory VII. was the first that ordered the ordination fasts, and the fasts of the four seasons, to concur exactly together; before which time, as the seasons of ordination were arbitrary and movable, so were the fasts that depended on them, which were always of use in the church, though not always fixed to four certain seasons.

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[15] Conc. Turon. 2. can. 18. Inter natalem Domini et Epiphaniam omni die festivitates sunt. Excipitur triduum illud, quo ad calcandam Gentilium consuetudinem, patres nostri statuerunt privatas in kalendis Januarii fieri Litanias, &c.

[16] Conc. Eliber. can. 23. Jejuniorum superpositiones per singulos menses placuit celebrari, exceptis diebus duorum mensium Julii et Augusti, ob eorundem infirmitatem.

[17] Conc. Turon. 2. can. 18. Post Quinquagesimam tota hebdomada exacte jejunent. Postea usque ad kalendas Augusti ter in septimana jejunent, secunda, quarta, et sexta die, exceptis his qui aliqua infirmitate constricti sunt. In Augusto, quia quotidie missæ sanctorum sunt, prandium habeant. In Septembri toto et Octobri et Novembri, sicut prius dictum est, ter in septimana.

[18] Ibid. can. 19. Toto Augusto manicationes fiant, quia festivitates sunt et missæ.

[19] Conc. Eliber. can. 26. Errorem placuit corrigi, ut omni sabbati die jejuniorum superpositionem celebremus.

[20] Book IV. chap. 6. sect. 6.

[21] Amalar. de Offic. Eccles. lib. 2. cap. 1.

[22] Wharton. Auctar. ad Usser. Hist. Dogmat. de Scriptur. et Sacris Vernaculis, p. 363. Omnes apostolicos a beato Petro usque ad Simplicium papam ordinationes tantum in jejunio Decembris celebrasse, adnotavit Ivo Carnotensis in libro de ecclesiasticis officiis MS.

[23] Conc. Mogunt. can. 34. de Quatuor Temporibus observandis.

Sect. 8. The original of the Rogation fast.

About the middle of the fifth century there was a new fast begun in France by Mamercus, bishop of Vienna, under the name of the Litany or Rogation days, which were the three days immediately before Ascension day in the middle of Pentecost. The affixing of a fast to these days was altogether new, because heretofore the whole fifty days of Pentecost were one entire festival, and all fasting and kneeling were prohibited at this time, as has been showed[24] in the last Book. Supplications or litanies were in use before on extraordinary occasions, but Mamercus was the first that fixed them to these days; and many churches in the West followed his example, as Sidonius Apollinaris[25] informs us. But the Spanish churches chose rather to stick by the old custom of keeping Pentecost an entire festival; and therefore the council of Girone[26] ordered that this fast of the Rogation days should rather be kept in the week after Pentecost; and appointed another such Litany or Rogation fast to be kept on the calends, or first day of November, which is now become the festival of All Saints, transferred from Trinity Sunday. The fifth and sixth councils of Toledo[27] appointed another Litany fast to be kept on the *ides* or thirteenth day of December. And the seventeenth council of Toledo, anno 694, made a more general decree,[28] that such Litanies or Rogations should be used in every month throughout the year. And under this head of monthly fasts, we may conclude that the Rogation fast of Pentecost, though not received at first, might perhaps come at last to be admitted in the Spanish churches; which yet is not indisputably certain, because Walafridus Strabo, who lived a whole age after this council, observes of them,[29] that they refused to keep any fast in Pentecost, but put it off till afterward, because it is written, "The children of the bridechamber cannot fast, so long as the bridegroom is with them." But whether he made this observation of the Spanish church as it was in his own time, or as it was in former times, when the council of Girone forbade all fasting in Pentecost, is a little doubtful; and therefore I content myself with bare hinting the thing[30] here, and leave it as a matter under dispute, that may admit of further inquiry. For the Greek church, the thing seems more uncontested, that they never had any Rogation fast in the time of Pentecost. For besides the silence of all the ancient Greek writers about it, Leo Allatius, who was originally a Greek, assures us,[31] that the present Greek church knows nothing of the three Rogation days before Ascension; neither have they any stated fasts between Easter and Pentecost, no, not so much as the half-fasts of Wednesdays and Fridays, which were observed as stationary days in all other parts of the year. And both he and Gretser[32] reprove those, who ascribe the observation of the Rogation fast to them, upon a mistaken ground, as if the word διακαινήσιμος, which signifies the week after Easter, or the week of renovation, was to be read, διακενίσιμος, the week of maceration or fasting, supposing it to be the week of the Rogation fast, when indeed there never was any such fast in use among them. So that as this fast was of no long standing in the Western church, nor universally received there; so it is plain, the Eastern church knew nothing of it, but always kept Pentecost an entire festival, according to the ancient and general rule of the church.

CHAPTER III.

OF THE WEEKLY FASTS OF WEDNESDAYS AND FRIDAYS, OR THE STATIONARY DAYS OF THE ANCIENT CHURCH.

Sect. 1. The original of these fasts.

THUS far we have considered the annual fasts of the ancient church, which were kept at their stated times in the revolution of every year. Beside these they had their weekly fasts on Wednesdays and Fridays, called the stationary days, and half-fasts, and fasts of the fourth and sixth days of the week, by the Latins *feria quarta et sexta*, and by the Greeks τετρὰς and παρασκευή. These are certainly as ancient as the time of Clemens Alexandrinus and Tertullian. For Clemens,[1] describing his Gnostic, or perfect Christian, says, He understands the mystery of the fasts of the fourth and sixth days, which are called by the names of Mercury and Venus among the Gentiles. He therefore fasts all his life from covetousness and lust; meaning, that those were the peculiar vices of Mercury and Venus among the heathen. Not long after, Tertullian,[2] disputing against some who were against all religious observation of times and seasons, because of

[24] Book XX. chap. 6.
[25] Sidon. lib. 5. Ep. 14. lib. 7. Ep. 1.
[26] Conc. Gerundens. can. 2 et 3.
[27] Conc. Tolet. 5. can. 1. Ibid. 6. can. 2.
[28] Ibid. 17. can. 6. [29] Strabo, de Offic. Eccles. cap. 28.
[30] See more of this Rogation fast, Book XIII. chap. 1. sect. 10.
[31] Allat. de Dominicis Hebdomad. Græcor. p. 1456. Rogationes triduanæ ante Ascensionem Domini Græcis ignotæ sunt, nec ulla habent stata jejunia inter Pascha et Pentecosten. [32] Gretser. in Codinum, lib. 3. cap. 9.
[1] Clem. Alex. Strom. 7. p. 877. Edit. Oxon.
[2] Tertul. de Jejun. cap. 14. Si omnem in totum devotionem temporum et dierum et mensium et annorum erasit apostolus, cur Pascha celebramus in annuo circulo, in mense primo? cur quinquaginta exinde diebus in omni exultatione decurrimus? cur stationibus quartam et sextam sabbati dicamus? Et jejuniis Parasceven?

those words of the apostle, Gal. iv. 10, "Ye observe days and months, and times and years;" he thus refutes them from the practice and observation of the whole church: If the apostle has wholly cancelled all observation of times and days, and months and years, why do we celebrate the *Pasch* in its annual return and revolution? Why do we spend the fifty days after in perpetual joy? Why do we set apart the fourth and sixth days of the week for our stations, and the *Parasceue*, or Friday, for our fasts? In like manner Origen, We have the forty days of Lent[3] consecrated to fasting: we have the fourth and sixth days of the week, on which we observe our solemn fasts. And Victorinus[4] the martyr, who lived in the latter end of the third century, speaks of both these days as religiously observed with fasting, either till nine o'clock, that is, three in the afternoon, or till evening, or by a superposition (as they called it) to the next day. And he particularly tells us, they observed Friday as a stationary day, because it was the passion of our Lord Jesus Christ. Which is also noted by Peter, bishop of Alexandria, who lived in the same age, and died a martyr a little after in the Diocletian persecution. For thus he speaks[5] in one of his canons: Let no one blame us for observing the fourth day of the week, and the *Parasceue*, or day of preparation, viz. Friday or the sixth day, on which days we have a rational appointment to fast, from ancient tradition: on the fourth day, because the Jews conspired to betray our Lord; and on the preparation, or sixth day, because then our Lord suffered for us.

Sect. 2. The reasons of their institution.

Many other such testimonies occur in the writers of the fourth and following ages, St. Basil,[6] St. Jerom,[7] St. Austin,[8] Epiphanius,[9] and the authors of the Apostolical Canons[10] and Constitutions: but those already alleged are most pertinent to show the antiquity of the observation. Some derive the original of these fasts from apostolical institution. So Epiphanius and the author of the Constitutions. Which, as a learned person rightly observes,[11] is a good argument of their antiquity, seeing those authors could derive them from no other fountain but apostolical institution. However, St. Austin does not carry the matter so high, but rather accounts them an appointment of the church upon reasons taken out of the gospel. This reason, says he,[12] may be given why the church fasts chiefly on the fourth and sixth days of the week, because it appears, upon considering the gospel, that on the fourth day, which we commonly call *feria quarta*, the Jews took counsel to kill our Lord; and on the sixth day our Lord suffered; for which reason, the sixth day is rightly appointed a fast. Peter, bishop of Alexandria,[13] assigns the same reason for the observation of these fasts, and so does the author of the Apostolical Constitutions, and Victorinus Martyr, in the passages already cited. So that whatever original these fasts had in point of time, the ancients seem generally to agree in the reason of their institution, that they were made fasts in regard to our Saviour's being betrayed and crucified on these days, which the churches thought proper to be kept in perpetual remembrance by the return of a weekly observation.

Sect. 3. How they differed from the Lent fast and all others in point of duration.

But we are to note, that these fasts being of continual use every week throughout the year, except in the fifty days between Easter and Pentecost, were not kept with that rigour and strictness which was observed in the time of Lent. For the Lent fast, as has been showed before, commonly held till evening, every day that it was observed; but these weekly fasts ordinarily held no longer than nine o'clock, that is, three in the afternoon, unless any chose voluntarily to protract them till the evening, or by a superposition (as Victorinus Martyr phrases it) extended them to the morning of the next day. And for this reason they are commonly spoken of by the distinguishing names of *stationes et semijejunia*, stations and half-fasts; because on these days they continued the church assemblies till three o'clock in the afternoon, and no longer; whereas a perfect and complete fast was never reckoned to end before evening. Tertullian often speaks of them under these covert appellations, in many places besides that already cited. In one place[14] he styles them *stationum semijejunia*, the half-fasts of the stations. In other places he distinguishes three sorts of abstinence,[15] under the names of *jejunationes*, *xerophagiæ*, and *stationes*. Where by *jejunationes* he understands the complete fasts, which

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[3] Orig. Hom. 10. in Levit. t. 1. p. 159. Habemus Quadragesimæ dies jejuniis consecratos. Habemus quartam et sextam septimanæ dies, quibus solenniter jejunamus.

[4] Victorin. de Fabrica Mundi, ap. Cave, Histor. Literar. t. 1. p. 103. Nunc ratio veritatis ostenditur, quare dies quartus tetras nuncupatur; quare usque ad horam nonam jejunamus, usque ad vesperam, aut superpositio usque in alterum diem fiat—Sextus dies Parasceue appellatur: hoc quoque die ob passionem Domini Jesu Christi, aut stationem Deo, aut jejunium facimus.

[5] Petr. Alex. can. 15.

[6] Basil. Ep. 289.

[7] Hieron. in Galat. cap. 4.

[8] Aug. Ep. 86. ad Casulan

[9] Epiphan. Hæres. 75. n. 6. It. Expos. Fidei, n. 22.

[10] Can. Apost. 69. Constitut. Apost. lib. 5. c. 15. lib. 7. c. 23.

[11] Bevereg. Cod. Canon. Vindic. lib. 3. cap. 10. n. 2.

[12] Aug. Ep. 86. ad Casulan. Cur autem quarta et sexta maxime jejunet ecclesia, illa ratio reddi videtur, quod considerato evangelio, ipsa quarta sabbati, quam vulgo quartam feriam vocant, consilium reperiuntur ad occidendum Dominum fecisse Judæi. Intermisso autem uno die—passus est Dominus (quod nemo ambigit) sexta sabbati: quapropter et ipsa sexta recte jejunio deputatur.

[13] Pet. Alex. can. 15.

[14] Tertul. de Jejun. cap. 13.

[15] Ibid. cap. 1 et 11.

held till evening; by *xerophagiæ*, the abstaining from flesh, and living upon dry meats; and by *stationes*, the fasts till nine o'clock. Which he therefore calls *officia recusati vel recisi vel retardati pabuli*,[16] the offices of wholly refusing meat till evening; or retrenching it to live upon dry meats, bread and water; or retarding the meal till nine o'clock. And again,[17] the bridling of the appetite, *per nullas interdum, vel seras, vel aridas escas*, either by wholly abstaining from meat till evening, or by deferring the meal to a late hour, that is, three in the afternoon, or by abstaining from flesh, and feeding only upon dry meats, bread and water. In all which distinctions any one may plainly discern, that the stations and half-fasts are put to denote the weekly fasts of Wednesday and Friday, which among the catholics held only till nine o'clock, though Tertullian and the Montanists pleaded stiffly for having them protracted till the evening, urging a new revelation and authority from the Holy Ghost for such imposition. But the church kept constant to her ancient practice, continuing these fasts to nine o'clock and no longer, as appears from the account which Epiphanius gives of them in his own time, speaking of the customs of the catholic church: On the fourth and sixth days of the week,[18] says he, we continue fasting to the ninth hour. And again, On the fourth and sixth days throughout the whole year, except in the fifty days of Pentecost, a fast is kept in the holy catholic church to the ninth hour. And therefore Prudentius, describing the passion of Fructuosus, a Spanish bishop and martyr, brings him in thus answering for himself,[19] We keep fast to-day, I can not drink; the ninth hour is not yet come. Where he plainly refers to the hour of the day to which these stationary fasts continued. And in another place,[20] It is now near the ninth hour, and the sun begins to decline; three parts of the day are scarce ended, and the fourth remains. We now offer up our prayers and receive the eucharist, and then we break off our festival and go to our ordinary refreshment. In which words the festival denotes one of these stationary days, on which they held religious assemblies in the church, offered up their devotions, received the eucharist, and then at nine o'clock broke up the assembly, and went to their ordinary meal.

Sect. 4. With what solemnity they were observed.

And hence we learn, that these stationary days were not only observed with fasting, but with religious assemblies, and solemn devotions in the church, with receiving the eucharist, and the usual service of the Lord's day in all particulars, save that the sermon perhaps was omitted, which was never omitted on the Lord's day. St. Ambrose, exhorting his hearers to observe the usual fasts of the church, gives a like account of the service of these stationary days. For the fast of Lent, he exhorts them to put off their meal to the end of the day,[21] because that was the regular way of observing Lent; but there were many other days on which they were to come to church presently after noon, and sing their hymns, and celebrate the oblation or eucharist, and then their fast was ended. In which words, as he plainly intimates that the fast of the stationary days was shorter than that of Lent, so he expressly affirms, That on those days they held religious assemblies at church in the afternoon, and there exercised themselves in singing of hymns and receiving the eucharist. Which is the same account as is given by Tertullian, St. Basil, and Socrates, (as I have had occasion to[22] note elsewhere,) only with this difference, that Socrates says, At Alexandria they had sermons on these days, and all the other service of the church, but not the communion; in which that church was singular, and differing from the practice of all other churches.

Sect. 5. How the catholics and Montanists disputed about the observation of them.

However, this difference in this matter, nor in any other customs and usages of the like nature, raised no dispute in the catholic church, because the things were indifferent in themselves, and the church always practised them with a just regard to Christian liberty, having no express command for them in the word of God. The church never tied them upon men's consciences as Divine injunctions, but only as laudable, ecclesiastical institutions, or at most, as customs descending from ancient tradition, and (in the opinion of some) from apostolical practice. Therefore though the greatest persons readily observed them (as Socrates observes[23] of Theodosius junior, that he fasted often, especially upon Wednesdays and Fridays, which he did with an earnest desire ἄκρως Χριστιανίζειν, to live up to the height of Christian perfection); yet if men's infirmities or employments would not suffer them to go so far as others in the observation of these days, a just allowance was made, and no severity of ecclesiastical censure, further than admonition, passed upon them. The clergy, indeed, bishops, presbyters, and deacons, and all inferior

[16] Tertul. de Jejun. cap. 11. [17] Ibid. cap. 1.

[18] Epiphan. Expos. Fid. n. 23.

[19] Prudent. Peristeph. Hymn. 6. Jejunamus, ait, recuso potum: Nondum nona diem resignat hora.

[20] Id. Cathemerin. Hymn. 8.

Nona submissum rotat hora solem,
Partibus vixdum tribus evolutis,
Quarta devexo superest in axe
Portio lucis.
Nos brevis voti dape vindicata,
Solvimus festum, fruimurque mensis
Affatim plenis, quibus imbuatur
Plena voluptas.

[21] Ambros. Hom. 8. in Psal. cxviii. 62. Differ aliquantulum, non longe est finis diei. Imo plerique sunt ejusmodi dies, ut statim meridianis horis adveniendum sit in ecclesiam, canendi hymni, celebranda oblatio.

[22] Book XIII. chap. 9. sect. 2. [23] Socrat. lib. 7. c. 22.

orders belonging to the church, are by some canons[24] obliged to observe these and other fasts under pain of deposition and degradation; and this was thought not unreasonable, because they had ordinarily no other employment but assidously to attend the service of the church. But even this would not satisfy the wild and enthusiastic rigour of the Montanists; for they extended these fasts from morning till evening, and would oblige all men to observe them in that extent, not as ordinary usages and customs of the church, but as necessary and indispensable Divine injunctions, lately given to the world by the new inspiration of the Holy Ghost speaking in their great prophet Montanus, who, as they pretended, had authority from God to give more perfect laws and rules of living to the church, than any that were delivered by the apostles. This was the dispute between them and the church, as appears from Tertullian's book De Jejuniis adversus Psychicos, Of Fasting, against the Carnal, as he slanderously and contumeliously terms the catholics, whilst he wrote against the church in defence of the new hypothesis of the Montanists. The dispute was not, whether the church had an ordinary power to appoint days of fasting proper for her own edification; for this she always claimed and practised, as appears from this whole account that has been given of her fasts; and also from what Tertullian says concerning them; That the bishops of the church,[25] besides the stated and ordinary annual and weekly fasts, were wont sometimes to enjoin their respective charges to observe certain occasional fasts upon emergent necessities of the church. But the Montanists pretended to impose their new fasts as Divine laws, by special direction of the Holy Ghost. And therefore it was that Apollonius, an ancient ecclesiastical writer mentioned by Eusebius,[26] charged Montanus as setting up for a lawgiver in imposing fasts. Which imposing fasts by a law must import his presuming to command fasts as of necessary obligation by Divine precept, and as peculiar dictates from the new pretended inspirations of the Holy Ghost. For otherwise, the bishops of the church would have been chargeable with the same crime; because it is certain they appointed fasts, both occasional and constant, yet with just liberties of human laws, for the benefit and edification of the church. And herein, I conceive, consisted the true difference between them. The one had a just authority to make proper rules about fasting for order and edification, and used their authority only for that end, keeping within their proper bounds; but the other had no authority at all, being no governors or rulers of the church, and yet pretended to a Divine authority to impose necessary and universal laws of fasting upon the church, as by the peculiar impulse and direction of the Holy Ghost. And upon this they made a schism, and set up a new communion and conventicles in opposition to the church, because she would not comply with their pretended oracles and inspirations, which she knew proceeded only from the spirit of imposture.

Sect. 6. How the Wednesday fast came to be changed to Saturday in the Western churches.

I have but one thing more to observe concerning these weekly fasts, which is, the change that was made of one of them from Wednesday to Saturday in the Western churches. In the Eastern church Saturday or the sabbath was always observed as a festival; and so some learned men think it was originally in the Western church also, as has been showed[27] before in the last Book. However, it is certain, that about the time of the council of Eliberis Saturday was made a fast in some of the Western churches; for that council orders it to be observed as a fast[28] in the Spanish churches. And St. Austin[29] acquaints us, that it was kept as a fast in his time at Rome, and some other of the Western and African churches. So that in all these places for some time they kept three fasts in the week, by the superposition of Saturday to the other two. But in process of time the Saturday fast grew more into repute than the Wednesday, which by degrees came to be neglected or omitted, till at last, as a learned person has observed,[30] in all churches which embraced the Saturday fast, Wednesday was wholly laid aside.

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[24] Canon. Apost. 69.

[25] Tertul. de Jejun. cap. 13. Episcopi universæ plebi mandare jejunia assolent interdum ex aliqua sollicitudinis ecclesiasticæ causa.

[26] Ap. Euseb. lib. 5. cap. 18. Οὗτός ἐστιν ὁ νηστείας νομοθετήσας.

[27] Book XX. chap. 3. sect. 6.

[28] Conc. Eliber. can. 26. Errorem placuit corrigi, ut omni sabbati die jejuniorum superpositionem celebremus.

[29] Aug. Ep. 86. ad Casulan.

[30] Albaspin. Observat. lib. 1. c. 13.

BOOK XXII.

OF THE MARRIAGE RITES OBSERVED IN THE ANCIENT CHURCH.

CHAPTER I.

A SHORT ACCOUNT OF THE HERETICS WHO CONDEMNED OR VILIFIED MARRIAGE ANCIENTLY, UNDER PRETENCE OF GREATER PURITY AND PERFECTION; AND OF SUCH ALSO AS GAVE LICENCE TO COMMUNITY OF WIVES AND FORNICATION.

Sect. 1. Community of wives first taught by Simon Magus.

BEFORE I enter upon the history of the church's practice in relation to the holy office of matrimony, and the several rites and usages observed in the celebration thereof, it will not be amiss to give a short account of those heretics, who, immediately upon the first plantation of the gospel, set themselves to vilify and contemn marriage, either by openly condemning it as a thing unlawful under the gospel, upon pretence that the gospel required greater purity and perfection; or by granting licence for community of wives and promiscuous fornication. Though God had instituted marriage as an honourable state in man's innocency; and our Saviour had allowed it as such, reducing it to its primitive institution; and the apostle had said, that "marriage was honourable in all, and the bed undefiled:" yet, according to the Spirit's prediction, there presently arose some who departed from the faith, giving heed to seducing spirits and doctrines of devils, forbidding to marry; and others, who taught men to commit fornication with licence and impunity. This latter doctrine was immediately broached by Simon Magus, the arch-heretic against the faith; for, as St. Austin[1] informs us, he taught the detestable impurity of the promiscuous use of women. Which is also signified by Epiphanius[2] and Irenæus, when they say, That Simon corrupted venerable marriage by his filthiness in following his own lusts with Helena his strumpet. Theodoret[3] gives a more particular account of his impiety, telling us the ground of his doctrine, how he taught, That the old prophets were only the servants of the angels who made the world: upon which account, he encouraged his followers not to regard them, nor dread the threatenings of the law, but, as free, to do whatever they listed; because they were to be saved not by good works, but by grace. And upon the strength of this principle, they who were of his sect gave themselves up boldly without restraint to all manner of lusts and intemperance, often practising magical enchantments and sorcery, as Divine mysteries, to bring about their amorous designs. All which agrees very well with that short account which is given by Damascen,[4] and the author of the Predestinarian heresy, published by Sirmondus,[5] who say, That Simon taught the promiscuous use of women without distinction; and that God regarded not chastity, forasmuch as the world was not made by him, but by angels.

Sect. 2. Afterward by Saturnilus, and the Nicolaitans, and many others.

One of the chief of Simon's scholars was Saturnilus, or Saturninus, a Syrian, who confirmed Simon's impurity, as St. Austin says,[6] and that upon the very same foundation, viz. that God did not regard the world, because it was made by certain angels without his knowledge, or against his will. Others say, he condemned matrimony and procreation of children universally, and that he was the first that asserted openly that marriage was a doctrine and work of the devil. So Irenæus,[7] Epiphanius,[8] Theodoret,[9] and others after them. Perhaps he might maintain both opinions, equally injurious to lawful matrimony. For it has been no unusual thing with men that have stiffly opposed matrimony, to be more favourable to real impurity and fornication.

The Nicolaitans are said by all writers to have

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[1] Aug. de Hæres. cap. 1. Docebat autem detestandam turpitudinem indifferenter utendi fœminis.

[2] Epiphan. Hær. 1. Simon. al. 21. n. 2. Iren. lib. 1. cap. 20.

[3] Theod. Fabul. Hæret. lib. 1. cap. 1. t. 3. p. 193.

[4] Damascen. de Hæres. p. 576. Concubitum passim sine delectu corporum docebat.

[5] Prædestinat. lib. 1. cap. 1. Dicebat castitatem ad Deum non pertinere, Deum mundum non fecisse.

[6] Aug. de Hæres. cap. 3. Saturninus turpitudinem Simonianam in Syria confirmasse perhibetur: qui etiam mundum solos angelos septem præter conscientiam Dei Patris fecisse dicebat.

[7] Iren. lib. 1. c. 22.

[8] Epiphan. Hær. 23.

[9] Theod. Hæret. Fab. lib. 1. c. 3.

trod in the steps of Simon Magus in teaching the liberty of fornication. And this is supposed to be the doctrine and deeds of the Nicolaitans condemned in the Revelation. For it is certain there were some at that time who taught men to commit fornication, as appears from the reproof given to the angel of the church of Thyatira, Rev. ii. 20, "Thou sufferest that woman Jezebel, who calleth herself a prophetess, to teach and to seduce my servants to commit fornication." Which makes some learned men think that the doctrine of Jezebel was the same with that of the Nicolaitans, and that they are but different names of the same persons. For all ecclesiastical writers agree, that the Nicolaitans held this doctrine. Irenæus,[10] Tertullian,[11] and Epiphanius,[12] make Nicolaus, one of the seven deacons, to be the author of it. But others excuse him, and say it was a doctrine taken up by those who pretended to be his followers, grounded upon some mistaken words of his, which had no such meaning. So Clemens Alexandrinus[13] more than once apologizes for him: and in like manner Eusebius,[14] Theodoret,[15] and St. Austin.[16] But it is agreed on all hands, that either he or his disciples brought in such a doctrine, which is condemned as the doctrine and deeds of the Nicolaitans in the Revelation. Afterwards it was propagated by Prodicus, the author of the impure sect of the Adamites, and by the Carpocratians and Gnostics, of whose impurities I need not stand to make a particular narration.

Sect. 3. Hence arose the calumny of the Gentiles against the Christians in general, that they practised impurity in their religious assemblies.

I only observe, that from these vile practices of the sects under the name of Christians, arose that common charge of the heathens against the Christians in general, that they practised impurities in their religious assemblies. For some of these sects not only made a common practice of fornication and uncleanness, but adopted them into the mysteries of their religion. Clemens Alexandrinus[17] particularly charges it upon the Carpocratians; and Theodoret[18] upon the Adamites, the followers of Prodicus, who was a disciple of Carpocrates. Epiphanius[19] and St. Austin add to these the Gnostics. Concerning whom St. Austin remarks, That as they went by different names in different parts of the world, some called them *Borboritæ*, wallowers in the mire,[20] because of their extreme impurity, which they were said to exercise in their mysteries. And of Carpocrates, the father of the Carpocratians, he remarks[21] how he taught all manner of filthiness and invention of evil, saying, That this was the only way to escape and pass safe by the principalities and powers of the air, who were pleased therewith, that so men might come to the highest heaven. Now, these were doctrines of devils indeed, scarce heard of among the Gentiles, that a man should commit lewdness with his father's wife, and that men should do evil that good might come; and that the best way to escape the devils' power, was to become slaves to them, and do the things that pleased them. Wherefore the heathens, knowing that such things were taught and practised among heretics, who went under the name of Christian, made no distinction, but threw the charge upon all Christians in general; and so, by reason of "their pernicious ways," (or, as some copies read it, 2 Pet. ii. 2, "their lascivious ways,") "the way of truth was evil spoken of."

Sect. 4. These doctrines being fetched from the very dregs of Gentilism, and scandalous in the eyes of sober heathens.

And this was done so much the more plausibly and with a better grace, because there were but few among the heathen themselves that allowed such practices. The doctrines were fetched by heretics from the very dregs of Gentilism, and they were scandalous in the eyes of all wise and sober heathens. Some of the more barbarous nations, indeed, allowed of community of wives, and practised promiscuous adultery. Solinus Polyhistor[22] affirms it of the Ethiopians, called *Garamantes;* and Julius Cæsar[23] gives the same account of the Britons: but in all the civilized part of the world, throughout the whole Roman empire, we meet with but one instance of it, in the Heliopolitans of Phœnicia, among whom, by the law of their country, Socrates[24] says, All women were common; so that no child knew his own father, because no distinction was made between parents and children. They also gave their virgins to be defiled by all strangers that came among them. And this iniquity, established by a law, continued among them till Constantine abrogated it by a contrary law, and builded them churches, and settled a bishop and clergy among them, by which means they were converted to Christianity, and brought to the orderly course of the rest of mankind in this particular, which was always reckoned scandalous among the very Gentiles. For Solinus, describing the lasciviousness of the *Garamantes*, which made that no child could know his own father, nor have any reverence for him, says,[25] Upon this account the

[10] Iren. lib. 1. c. 27. [11] Tertul. de Præscrip. cap. 46.

[12] Epiph. Hær. 25.

[13] Clem. Alex. Strom. 2. p. 491. Strom. 3. p. 523. Ed. Oxon.

[14] Euseb. lib. 3. c. 29. [15] Theod. Hær. Fab. lib. 3. c. 1.

[16] Aug. de Hær. c. 5.

[17] Clem. Strom. 3. p. 511. Vid. Philastr. Hær. 57.

[18] Theod. Hær. Fab. lib. 1. cap. 6. [19] Epiph. Hær. 26.

[20] Aug. de Hæres. cap. 6. Nonnulli eos etiam Borboritas vocant, quasi cœnosos, propter nimiam turpitudinem, quam in suis mysteriis exercere dicuntur.

[21] Ibid. cap. 7. Carpocrates docebat omnem turpem operationem, omnemque adinventionem peccati: nec aliter evadi atque transiri principatus et potestates, quibus hæc placent, ut possit ad cœlum superius perveniri.

[22] Solin. cap. 43. [23] Cæsar. de Bello Gallic. lib. 5.

[24] Socrat. lib. 1. c. 18.

[25] Solin. cap. 30. Eapropter Garamantici Æthiopes in

Garamantes were reckoned a degenerate people among all nations; and that not without reason, because they had destroyed the discipline of chastity, and by that wicked custom lost all knowledge of succession among them. It is true, indeed, Plato is generally accused by the ancient writers of the church for saying, that a community of wives ought to be established in his commonwealth. The charge is brought against him by Theophilus, bishop of Antioch, first of all:[26] then by St. Jerom,[27] Chrysostom,[28] and Theodoret.[29] But if what Clemens Alexandrinus pleads in his behalf be true, there must be some mistake in the accusation. For he says,[30] Plato did not teach the community of wives after they married, but only that the world was like a theatre, which is common to all spectators: so women, before they were married, were any man's right that could obtain them; but after they were married, they were every man's property, and no longer common. But be this matter as it will, it is certain the main current of the heathen laws were against such practices; and therefore it was the more abominable for heretics to introduce them into the purest of all religions, which was so much a friend to lawful marriage, and so great an enemy to all uncleanness.

Sect. 5. Marriage condemned as unlawful by Tatian and the Encratites.

But these were not the only heretics that infested the Christian church upon this point. There were others who railed at marriage as simply unlawful under the gospel, and would have all men abstain from it as a matter of necessity, without which they could not be saved. This doctrine was first taught by Saturnilus and Marcion, as Irenæus[31] informs us, but afterwards better known among the Encratites, a sect begun by Tatian, the scholar of Justin Martyr, who, after his master's death, divided from the church upon this and some other points, asserting, that marriage was no better than fornication, and therefore all men ought to abstain from it: thereby, says our author, annulling the primitive work of God, and tacitly accusing him who created man male and female for the propagation of mankind. Epiphanius,[32] speaking of these Encratites, says, they taught openly that marriage was the work of the devil. Theodoret[33] says the same, That they observed celibacy, terming marriage fornication, and the lawful joining of man and woman together the work of the devil. Which is also confirmed by St. Austin,[34] who adds, That upon this account they would admit no married person into their society, whether male or female.

Sect. 6. Also by the *Apostolici* or *Apotactici*.

Not unlike these was that other sect, who called themselves *Apostolici*, from a vain pretence of being the only men who lead their lives according to the example of the apostles; and *Apotactici*, from a show of renouncing the world more than other men. St. Austin says, They arrogantly[35] assumed these names, because they would not receive into their communion any who were married, or kept the possession of any thing in property to themselves; and that they allowed no hope of salvation to such as used either of those things which they renounced.

Sect. 7. By the Manichees, Severians, and *Archontici*.

St. Austin brings the same charge against the Manichees: he says, They condemned marriage,[36] and prohibited it as far as they could, forbidding men to beget children, for which marriage was ordained. The Severians and Archontics said, That woman was the work of the devil, and therefore they that married fulfilled the work of the devil, as Epiphanius[37] reports of them. And Clemens Alexandrinus,[38] speaking of the same heretics, or some others like them, says, They taught, that marriage was downright fornication, and that it was delivered by the devil.

Sect. 8. By the Hieracians, and Eustathians.

After these arose up one Hierax, whose disciples are called Hieracians, who taught with a little more modesty, but no less erroneously, that marriage was a thing belonging only to the Old Testament, and since the coming of Christ it was no longer to have place; neither could any one in the married state obtain the kingdom of heaven. So Epiphanius represents their doctrine.[39] And upon this account St. Austin[40] says, They admitted none but monks and nuns, and such as were unmarried, into their communion. The same tenets were stiffly maintained by one Eustathius, whom Socrates[41] and Sozomen[42] call bishop of Sebastia, and Valesius[43] defends them in so saying, though Baronius[44] labours

ter omnes populos degeneres habentur: nec immerito, quia afflicta castitatis disciplina, successionis notitiam ritu improbo perdiderunt.

[26] Theoph. ad Autolyc. lib. 3. p. 207.

[27] Hieron. Ep. ad Ocean. lib. 2. advers. Jovin.

[28] Chrys. Hom. 5. in Titum, p. 1725. Hom. 4. in Act.

[29] Theod. de Curand. Græcor. Affect. Serm. 9.

[30] Clem. Strom. 3. cap. 2. p. 514. Ed. Oxon.

[31] Iren. lib. 1. cap. 30. et ap. Euseb. lib. 4. c. 29.

[32] Epiph. Hær. 47.

[33] Theod. Hær. Fab. lib. 1. c. 20.

[34] Aug. de Hær. cap. 25. Encratitæ nuptias damnant, atque omnino pares eas fornicationibus aliisque corruptionibus faciunt: nec recipiunt in eorum numerum conjugio utentem, sive marem sive fœminam.

[35] Aug. de Hæres. cap. 40. Apostolici, qui se isto nomine arrogantissime vocaverunt, eo quod in suam communionem non reciperent utentes conjugibus, et res proprias possidentes.——Nullam spem putant eos habere qui utuntur his rebus, quibus ipsi carent.

[36] Ibid. cap. 46. Nuptias sine dubitatione condemnant, et quantum in ipsis est prohibent, quando generare prohibent, propter quod conjugia copulanda sunt.

[37] Epiph. Hær. 45. n. 2.

[38] Clem. Strom. 3. cap. 9. p. 540.

[39] Epiph. Hær. 67. n. 1.

[40] Aug. de Hær. cap. 47. Monachos tantum et monachas et conjugia non habentes in communionem recipiunt.

[41] Socrat. lib. 2. cap. 43.

[42] Sozom. lib. 4. cap. 24.

[43] Vales. in Socrat. lib. 2. c. 43.

[44] Baron. an. 361. n. 45.

to prove him to be another man. However, it is agreed on all hands, that there was one of this name, who was so great an admirer of the monastic life, that, for the sake of it, he condemned all marriage in general, and taught, that no one that lived in a married state could have any hope in God. Upon which, many women forsook their husbands, and husbands their wives: many servants deserted their masters, to join with him in this new way of living; and many withdrew from public assemblies of the church, and held private conventicles, upon pretence, that they could not communicate with the ministers of the church, because they were married persons: as the fathers of the council of Gangra largely set forth his errors in their declaration against them.[45]

Sect 9. Who were condemned in the council of Gangra, and those called the Apostolical Canons.

And to give some check to his errors, they used their authority in making several canons against them, having first deposed the author. In the first canon they say, If any accuses marriage, or blames or abhors a woman, who is otherwise faithful and pious, for sleeping with her husband, as if upon that account she could not enter into the kingdom of God, let him be anathema. The fourth canon is to the same purpose, If any one condemn or separate from a married presbyter, under pretence that it is unlawful to partake of the oblation when such a one ministers, let him be anathema. The ninth in like manner, If any one retire from the world, and live a virgin, or contain, as abominating marriage, and not for the excellency and holiness of a virgin life, let him be anathema. The fourteenth, If any woman forsake her husband, minding to turn recluse out of an abhorrence of marriage, let her be anathema. They add in the close of all, We write not these things to cut off any from the church of God, who are minded to give themselves to an ascetic life according to the Scriptures, but only those who make such a life an occasion of pride, to lift themselves up above those who live in a more plain and simple manner, introducing novelties against the Scriptures and the rules of the church. We admire virginity, when accompanied with humility: and applaud continency, when attended with gravity and piety; and allow of a retirement from worldly affairs, when it is done with humility: but we also honour cohabitation in chaste marriage; and, in a word, desire that all things may be done in the church according to the traditions delivered to us in Scripture, and rules of the apostles. By the traditions of the apostles, these fathers might mean, either the rules about marriage delivered by the apostles in Scripture, or the rules given in those which are called the Apostolical Canons, which were at that time of common use in the church. One of which runs in these terms:[46] If any bishop, presbyter, or deacon, or any other of the sacred roll, abstain from marriage, or flesh, or wine, not for exercise of an ascetic life, but out of abhorrence, thereby blaspheming and calumniating the workmanship of God, and forgetting that God created all things very good, and made man male and female; let him amend, or else be deposed and cast out of the church. And so let a layman be treated likewise.

By all this it is evident, that the church had a mighty struggle with those ancient heretics, who inveighed bitterly against marriage under the gospel state, and wrought upon many weak minds to commit great disorders, under pretence of a more refined way of living and fanciful perfection, which the gospel had no where enjoined as of necessity to mankind; but only they who were able to receive it, might receive it at their own liberty and discretion, provided they made their own liberty no snare to other men's consciences, nor imposed a matter of free choice as a necessary obligation upon the rest of mankind.

Sect 10. The error of the Montanists about second marriages; and of the Novatians also.

The church had also another contest with the Montanists about second marriages. Theodoret[47] says, Montanus made laws to dissolve marriage. And the same was objected to him by Apollonius, an ancient writer in Eusebius,[48] who opposed the new spirit of Montanus, when he first began to appear in the world: This is the man that teaches the dissolution of marriages, says he in his charge against him: which some later writers by mistake understand of his prohibiting marriage in general, as the heretics of whom we have just been speaking. Whereas Montanus did not deny the lawfulness of marriage, but only second marriages, as is evident from Tertullian, who was the chief advocate of that heretic against the church. His books De Monogamia, and Exhortatio Castitatis, were written purposely on this subject: in both which he declaims very heartily indeed against second marriages, as no better than adultery; but he never gives the least intimation, that he or any other Montanist had the same opinion of the first. Nay, he begins his book of Monogamy with these remarkable words,[49] Here-

[45] Conc. Gangren. in Præfat. [46] Canon. Apost. 51.

[47] Theod. Hær. Fab. lib. 3. cap. 2. Τὸν γάμον διαλύειν ἐνομοθέτησε.

[48] Euseb. lib. 5. cap. 18. Οὗτός ἐστιν ὁ διδάξας λύσεις γάμων.

[49] Tertul. de Monogam. cap. 1. Hæretici nuptias auferunt, Psychici ingerunt.—Verum neque continentia ejusmodi laudanda, quia hæretica est; neque licentia defendenda, quia Psychica est. Illa blasphemat, ista luxuriat. Illa destruit nuptiarum Deum, ista confundit. Penes nos autem, quos spiritales merito dici facit agnitio spiritalium charismatum, tam continentia religiosa est, quam licentia verecunda, quandoquidem ambæ cum Creatore sunt.—Unum matrimonium novimus, sicut unum Deum.

tics take away marriage, and the *Psychici*, or carnal men, by whom he means the catholics, repeat it: the one marry not so much as once, the other marry more than once. But neither is such continency to be praised, because it is heretical; nor such liberty to be defended, because it is carnal. The one destroys the God of marriage, the other confounds him. The one blasphemes him, the other is luxurious against him. But among us, who are deservedly called spiritual, from the acknowledgment of spiritual gifts, continency is religious, and our liberty observed with modesty and moderation, because they both stand with the Creator. We acknowledge one matrimony, as we do one God. So that it is plain, the Montanists ought not to be charged with denying the lawfulness of marriage in general, which they defended against other heretics, but only the liberty of second and third marriages, which they rejected upon the pretence of receiving some new revelations from the Holy Ghost. And therefore when the ancients say, They taught men to dissolve marriage, or forbid men to marry, they are always to be understood as speaking of second marriages, and not of the first, as Epiphanius[50] well explains himself, when he writes against them.

The Novatians were in the same sentiments with the Montanists, rejecting all from communion who were twice married. Which we learn not only from Epiphanius[51] and other private writers against them, but also from the rule made in the great council of Nice concerning them,[52] That when any of the Novatians returned to the catholic church, they should be obliged to make profession in writing, that they would submit to the decrees of the catholic church, particularly in this, that they would *διγάμοις κοινωνεῖν*, communicate with digamists, or those that were married a second time. Which shows us both what was the opinion of the Novatians upon this point, and what was the general sense of the catholic church in opposition to it. And if any private writers have spoken any thing harshly or indecently of second marriages, their opinion is not either to be defended or urged as the sentiment of the church, as I have had occasion to show in a former[53] Book concerning the discipline of the church, where this matter is more fully discussed.

CHAPTER II.

OF THE JUST IMPEDIMENTS OF MARRIAGE IN PARTICULAR CASES, SHOWING, WHAT PERSONS MIGHT OR MIGHT NOT BE LAWFULLY JOINED TOGETHER; AND OF THE TIMES AND SEASONS WHEN THE CELEBRATION OF MARRIAGE WAS FORBIDDEN.

Sect. 1. Christians not to marry with infidels, or Jews, or heretics, or any of a different religion.

Having thus given an account of the several opinions and practices of heretics, derogatory either to marriage in general, or to the repetition of it after the decease of a former consort, I now come to show what restraints the church herself laid upon some particular sorts of persons, by her rules prohibiting them to marry, either for some time, or at least not in such circumstances as were thought just impediments of marriage in certain particular cases. Of this nature was the rule forbidding Christians to marry with infidels or heathens, because of the danger and scandal that would attend the being joined so unequally with unbelievers. The apostle leaves the woman, whose husband is dead, at liberty to marry to whom she will, only with this proviso, that it be "in the Lord," 1 Cor. vii. 39. Which the ancients generally so understood, as to take it for a command, that Christians should marry only Christians, and not infidels, or persons of a different religion. Cyprian,[1] in his book of Testimonies out of Scripture, brings this text and two others out of St. Paul's Epistles, to prove that Christians ought not to join in matrimony with the Gentiles. His other proofs are, 1 Cor. vi. 15, "Know ye not that your bodies are the members of Christ? Shall I then take the members of Christ and make them members of a harlot? God forbid." And 2 Cor. vi. 14, "Be ye not unequally yoked with unbelievers." And in his book De Lapsis[2] he complains, that among other causes why God sent that terrible persecution upon Christians, one reason was, that many of them had joined themselves in matrimony with infidels, and prostituted the members of Christ to the infidels. In like manner, Tertullian[3] before him gives the same sense of the words of the apostle. For certainly, says he, in prescribing that the woman should only marry in the Lord, lest any believer should contract matrimony with a heathen, he defends the law of the Creator, which every where forbids marrying with those of another nation, or heathens of another religion. So, again,[4] she that was to marry, was only

[50] Epiph. Hær. 48. n. 9. [51] Ibid. Hær. 59. n. 4.

[52] Conc. Nic. can. 8. [53] Book XVI. chap. 11. sect. 7.

[1] Cypr. Testimon. ad Quirin. lib. 3. cap. 62. Matrimonium cum Gentilibus non jungendum.

[2] Ibid. de Lapsis, p. 123. Jungere cum infidelibus vinculum matrimonii, prostituere Gentilibus membra Christi.

[3] Tertul. cont. Marcion, lib. 5. cap. 7. Certe præscribens, tantum in Domino esse nubendum, ne quis fidelis ethnicum matrimonium contrahat, legem tuetur Creatoris, allophylorum nuptias ubique prohibentis.

[4] Ibid. de Monogam. cap. 7. Et illa nuptura in Domino habet nubere, id est, non ethnico, sed fratri: quia et vetus

to marry in the Lord, that is, not to a heathen, but to a brother; because the old law also forbade the marrying with strangers. He pursues this argument at large in his second book to his own wife, where, urging first the same text of the apostle, he concludes,[5] that it is fornication and adultery for Christians to join in marriage with heathens, and that they who do so ought to be cast out of the communion of the church. And in another place he says, Christians did not marry[6] with heathens, for fear they should draw them into idolatry, which was the first rite that was used in celebrating their marriages. St. Jerom[7] urges the same authorities of the apostle against such marriages: When the apostle, says he, adds, "only in the Lord," he thereby cuts off all making marriages with the heathen. Concerning which sort of marriages he says in another place, "Be ye not unequally yoked with unbelievers: for what fellowship hath righteousness with unrighteousness? and what communion hath light with darkness? and what concord hath Christ with Belial? or what part hath he that believeth with an infidel?" St. Jerom, indeed, in another place laments the transgression of these rules, and sharply reproves the transgressors.[8] Now, many women, says he, despising the command of the apostle, are married to heathens, not considering that they become part of that body, whose ribs they are. The apostle pardons those who were married to heathens before they believed in Christ, but not those who, being Christians, afterward were married to Gentiles; to whom he thus speaks in another place, "Be not unequally yoked with unbelievers," &c. I am sensible, says St. Jerom, I shall anger and enrage many matrons, who, as they have despised their Lord, (in being married to heathens,) so they will rant at me, who am but a flea and the meanest of all Christians. Yet I will speak what I think, and say what the apostle has taught me; that they are not on the side of righteousness, but unrighteousness; not of light, but of darkness; not of Christ, but of Belial; not temples of the living God, but temples and idols of dead men. Would you have me speak more plainly, that a Christian woman ought not to be married to a heathen? Hear the same apostle: "The woman is bound," says he, "as long as her husband liveth: but if her husband be dead, she is at liberty to be married to whom she will, only in the Lord;" that is, to a Christian. He that allows second and third marriages in the Lord, forbids even a first marriage with a heathen. I say this, that they who compare marriage to virginity, may yet at least understand that digamy and trigamy, second and third marriages, are far above such marriages with heathens. St. Ambrose is no less earnest in dissuading all Christians from engaging in such unequal marriages, not only with heathens, but heretics; pathetically exhorting parents, who had the chief hand and authority in disposing of their children, to beware of such dangerous matches. Beware, says he,[9] O Christian, that thou give not thy daughter to a Gentile or a Jew; beware, I say, that thou take not a wife to thee who is a Gentile, or a Jew, or an alien, that is, a heretic, or any one that is a stranger to the faith. And again, writing to one Vigilius[10] some instructions about the execution of the ministerial office, he bids him teach the people carefully this one thing, Not to join in matrimony with strangers, but with Christian families. For though we read of many people destroyed with a heavy destruction for violating the laws of hospitality; and of dreadful wars commenced upon uncleanness; yet there is scarce any thing more grievous than marrying with strange women, which is both an incentive to lust and discord, and the forge of sacrilege. For when marriage ought to be sanctified with the sacerdotal veil and benediction, how can that be called a marriage, where there is no agreement in faith? When their prayers ought to be in common, how can there be any mutual conjugal love, where there is such disparity in their devotion? Many men by this means have frequently betrayed their faith, as the Israelites did in the wilderness, when, by the seducement of the Midianitish women, they joined themselves to Baal-peor. The author also of the Short Notes upon the Epistles, under the name of St. Ambrose,[11] gives the same interpretation of St. Paul's words: Let the woman marry only in the Lord; let her marry without suspicion of uncleanness, and let her marry to a man of her own religion. This is to marry in the Lord. In like manner Sedulius[12] and Theodoret[13] upon the same place; Let her marry to one of the same faith, to a godly man, in sobriety, and according to the law. Upon this account St. Austin, being solicited by one Rusticus, a heathen, to give his consent that

lex adimit conjugium allophylorum. It. cap. 11. Propterea adjecerit, tantum in Domino, ne scilicet post fidem ethnico se nubere posse præsumeret.

[5] Tertul. ad Uxor. lib. 2. cap. 3. Hæc cum ita sint, fideles Gentilium matrimonia subeuntes stupri reos esse constat, et arcendos ab omni communicatione fraternitatis, &c.

[6] Ibid. de Coron. Mil. cap. 13.

[7] Hieron. Ep. 11. ad Gerontiam de Monogamia. Quod addit, tantum in Domino, amputat ethnicorum conjugia, &c.

[8] Ibid. cont. Jovin. lib. 1. cap. 5. Nunc pleræque contemnentes apostoli jussionem, junguntur Gentilibus, &c.

[9] Ambros. de Abrahamo, lib. 1. cap. 9.

[10] Ibid. Ep. 70. ad Vigil.

[11] Pseudo-Ambros. in 1 Cor. vii. 39. Tantum in Domino: hoc est, sine suspicione turpitudinis nubat, et religionis suæ viro nubat. Hoc est in Domino nubere.

[12] Sedul. in 1 Cor. vii. 39. Cui voluerit nubat, tantummodo Christiano, non Gentili.

[13] Theod. in 1 Cor. vii. 39. *Μόνον ἐν Κυρίῳ, τουτέστιν, ὁμοπίστῳ, εὐσεβεῖ, σωφρόνως, ἐννόμως.*

his son might marry a certain woman that was a Christian, tells him,[14] That though it was absolutely in his power to give any virgin in marriage, yet he could not give a Christian to any but a Christian. This St. Austin spake according to the known rules and practice of the church. For though he himself, in his own private opinion, did not think such marriages so clearly and expressly forbidden in the New Testament, as others did; yet he thought there were probable reasons to make it a very doubtful case: and that was enough to deter any one from venturing on it, and also sufficient to oblige the ministers of the church not to give any encouragement to it, either by consenting to such marriages, or authorizing them in their ministration. Yet, if the question were, Whether such persons, so offending against the rules of the church, were to be denied either baptism or communion, he reckons this to be a matter of some doubt, not so clearly to be resolved as the question about manifest fornicators and adulterers. The manifest crimes of uncleanness, says he,[15] do absolutely debar men from baptism, unless they be corrected by a change of will and repentance: and in doubtful cases, as marrying with heathens, we are by all means to endeavour that such marriages be not contracted. For what need have any persons to run their heads into so great danger in doubtful matters? But if such marriages be made, I am not sure that the parties concerned ought to be denied baptism in this case as in the former. Indeed the punishment of such contracts was not always and every where the same in the church, though it was agreed on all hands to prohibit and discourage them, as dangerous and dubious, or manifestly sinful. Some canons barely forbid the thing, without assigning any ecclesiastical punishment to the commission of it. So in the council of Laodicea, one canon[16] says, That they who are of the church ought not to give their children in marriage promiscuously to heretics. And another, That they ought not[17] to marry with all heretics indifferently, nor give their sons or daughters to them, unless they will promise to become Christians. The prohibition in the third council of Carthage extends only to the sons and daughters of bishops and the clergy,[18] that they should not marry with Gentiles, heretics, or schismatics, but particularly mentions no others. The council of Agde[19] runs in the same words with the council of Laodicea, That none shall marry with heretics, unless they will promise to become catholic Christians. And so the council of Chalcedon[20] forbids the readers and singers among the inferior clergy to marry either Jew, Gentile, or heretic, unless they would promise to embrace the orthodox faith: and this is enjoined the clergy, under pain of canonical censure. But the first council of Arles[21] goes a little further with respect to the whole body of Christians, and orders, That if any virgins who are believers be married to Gentiles, they shall, for some time, be separated from communion. The council of Eliberis not only forbids such marriages[22] in one canon, for fear of spiritual adultery, that is, apostacy from the faith; though there was a pretence, that young women were so numerous, that they could not find Christian husbands enough for them; but also in another canon[23] orders such parents as gave their daughters in marriage to Jews or heretics, to be five years cast out of the communion of the church. And a third canon orders,[24] That if any parents married their daughters to idol-priests, they should not be received into communion even at their last hour. The second council of Orleans[25] forbids all Christians to marry Jews, because all such marriages were deemed unlawful; and if any, upon admonition, refused to dissolve such marriages, they were to be denied all benefit of communion. Thus stood the discipline of the church at that time in reference to all such marriages. Nor was the civil law wanting to confirm the

[14] Aug. Ep. 234. ad Rusticum. Certissime noveris, etiamsi nostræ absolutæ sit potestatis quamlibet puellam in conjugio tradere, tradi a nobis Christianam nisi Christiano non posse.

[15] Aug. de Fide et Oper. cap. 19. Quæ manifesta sunt impudicitiæ crimina, omnimodo a baptismo prohibenda sunt, nisi mutatione voluntatis et pœnitentia corrigantur: quæ autem dubia, omnimodo conandum est, ne fiant tales conjunctiones. Quid enim opus est in tantum discrimen ambiguitatis caput immittere? si autem factæ fuerint, nescio utrum ii qui fecerint, similiter ad baptismum non debere videantur admitti. Vid. Aug. de Adulterin. Nupt. lib. 1. c. 25.

[16] Conc. Laodic. can. 10. [17] Ibid. can. 31.

[18] Conc. Carth. 3. can. 12. Ut filii vel filiæ episcoporum, vel quorumlibet clericorum, Gentilibus vel hæreticis vel schismaticis matrimonio non jungantur.

[19] Conc. Agathen. can. 67. Non oportet cum omnibus hæreticis miscere connubia, et vel filios vel filias dare, sed potius accipere, si tamen profitentur Christianos futuros esse se et catholicos.

[20] Conc. Chalced. can. 14.

[21] Conc. Arelat. 1. can. 11. De puellis fidelibus quæ Gentilibus junguntur, placuit ut aliquanto tempore a communione separentur.

[22] Conc. Eliber. can. 15. Propter copiam puellarum Gentilibus minime in matrimonium dandæ sunt virgines Christianæ; ne ætas in flore tumens in adulterio animæ resolvatur.

[23] Ibid. can. 16. Catholicas puellas neque Judæis neque hæreticis dare placuit: eo quod nulla esse possit societas fideli cum infideli. Si contra interdictum fecerint parentes, abstineri per quinquennium placet.

[24] Ibid. can. 17. Si qui forte sacerdotibus idolorum filias suas junxerint, placuit, nec in fine eis dandam esse communionem.

[25] Conc. Aurelian. 2. can. 18. Placuit ut nullus Christianus Judæam, neque Judæus Christianam in matrimonio ducat uxorem: quia inter hujusmodi personas illicitas nuptias esse censemus. Quod si commoniti, a consortio hoc se separare distulerint, a communionis gratia sunt sine dubio submovendi.

ecclesiastical with its sanction. For by an edict published by Valentinian and Theodosius, which is twice repeated in the Theodosian Code,[26] and stands still as law in the Justinian Code, If any Jew presume to marry a Christian woman, or a Christian takes to wife a Jewish woman, their crime is put into the same class with adultery, that is, made a capital crime, and not only relations, but any one, has liberty to accuse and prosecute them upon such transgression. Constantius before this had made it a capital crime for a Jew[27] to marry a Christian woman, but laid no penalty upon the Christian marrying a Jew. But this being thought a defect by Theodosius, he supplied it by that new law, which more expressly made it capital for them both. And so all possible restraint was laid upon such marriages that the civil power could think of.

Sect. 2. All Christians obliged to acquaint the church with their designs of marriage before they completed it.

And to prevent the inconveniencies attending such unequal marriages, all Christians were obliged to acquaint the bishop of the church beforehand with their design of marrying, that if any such obstacle appeared, they might be dissuaded and diverted from it. Thus Ignatius, in his epistle to Polycarp:[28] It becomes those that marry, and those that are given in marriage, to take upon them this yoke with the consent or direction of the bishop, that their marriage may be according to the will of God, and not their own lusts. And this is evident from several passages in Tertullian, who often speaks of taking advice and counsel beforehand about this matter from the church. For, speaking of some women who were married to heathens, he says, He could not[29] but wonder either at their own petulancy, or the prevarication and unfaithfulness of their counsellors. Intimating, that in this case they had taken counsel of others, and not of the church, who would not have given them counsel and consent to have married heathens. In another place,[30] says he, How shall I sufficiently set forth the happiness of that marriage, which the church brings about by her procurement, and the oblation confirms, and the angels report it when done, and the Father ratifies it? Here, not to dispute at present the meaning of any words, the church's bringing about the marriage must at least signify its being done by her advice and counsel, if not her ministry and benediction; which some are unwilling to allow; but of this more by and by. To proceed: Tertullian, when he was turned Montanist, dissuaded all widows from marrying a second time, and among other arguments, he urges them with this:[31] With what face canst thou request such a second marriage of those who are not allowed themselves to have what thou askest of them; viz. of the bishop, who is but once married; and of the presbyters and deacons, who are in the same state; and of the widows, whose society thou hast refused? Here he plainly says, that the whole church was acquainted with any person's intention to marry, who as it were asked leave of every order of the church, even the widows as well as the clergy, that if any one had any just objection against them, as, that they were about to marry a heathen, or Jew, or heretic, or one too nearly related, or without consent of parents, or any thing of the like nature, a timely intimation might be given of it, and such marriage be prevented, or at least not be authorized and ratified by the consent of the church. This is plainly the meaning of petitioning the church in the case of marriage: not that the church assumed any arbitrary power of granting or refusing marriage to any persons, but only of disallowing those against whom there lay some just objection, as this, in the first place, of any one's being about to join in matrimony with a heathen; which, though it might be effected in those times by other means, yet it was never to be done by the agnizing, or consent, or ministration of the church; as appears from the whole account that has here been given of the church's practice in relation to such marriages with heathens.

Sect. 3. Not to marry with persons of near alliance, either by consanguinity or affinity, to avoid suspicion of incest.

Another rule of the church prohibiting certain persons from joining together, was, when they were too nearly related to each other, either

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[26] Cod. Theod. lib. 3. Tit. 7. de Nuptiis, Leg. 2. Nequis Christianam mulierem in matrimonium Judæus accipiat, neque Judæam Christianus conjugio sortiatur: nam si quis aliquid hujusmodi admiserit, adulterii vicem commissi hujus crimen obtinet: libertate in accusandum publicis quoque vocibus relaxata. Vid. Cod. Theod. lib. 9. Tit. 7. ad Legem Juliam de Adulteriis, Leg. 5. Et Cod. Justin. lib. 1. Tit. 9. de Judæis, Leg. 6.

[27] Cod. Theod. lib. 16. Tit. 8. de Judæis, Leg. 6. Quod ad mulieres pertinent, quas Judæi in turpitudinis suæ duxere consortium, in gynecio nostro ante versatas, placet easdem restitui in gynecio: idque in reliquum observari, ne Christianas mulieres suis jungant flagitiis: vel, si hoc fecerint, capitali periculo subjugentur.

[28] Ignat. Ep. ad Polycarp. n. 5. *Πρέπει τοῖς γαμοῦσι, καὶ ταῖς γαμουμέναις, μετὰ γνώμης τοῦ ἐπισκόπου τὴν ἕνωσιν ποιεῖσθαι· ἵνα ὁ γάμος ᾖ κατὰ Θεὸν, καὶ μὴ κατ' ἐπιθυμίαν.*

[29] Tertul. ad Uxor. lib. 2. cap. 2. Cum quædam istis diebus nuptias suas de ecclesia tolleret, id est, Gentili conjungeretur; idque ab aliis retro factum recordarer, miratus aut ipsarum petulantiam, aut consiliariorum prævaricationem, &c.

[30] Ibid. cap. 9. Unde sufficiam ad enarrandam felicitatem ejus matrimonii, quod ecclesia conciliat, et confirmat oblatio, et obsignatum angeli renunciant, et Pater ratum habet?

[31] Id. de Monogam. cap. 11. Qualis es id matrimonium postulans, quod eis a quibus postulas, non licet habere; ab episcopo monogamo, a presbyteris et diaconis ejusdem sacramenti; a viduis, quarum sectam in te recusasti? Et illi plane sic dabunt viros et uxores, quomodo buccellas: hoc enim est apud illos, omni petenti te dabis: et conjungent vos in ecclesia virgine, unius Christi unica sponsa.

by consanguinity or affinity, which would have made the marriage incestuous, by coming within the degrees prohibited by God in Scripture. How far the Christian morals exceeded the heathen in this particular (notwithstanding the false charge of the heathens against them for committing incest in their religious assemblies) I have fully showed in another[32] place, where I have also noted the penalties, both ecclesiastical and civil, that, according to the discipline of those times, were put upon all incestuous persons. Here I shall only add a little more particular account of such degrees as made marriage to be deemed incestuous, and a perfect nullity, whenever it was so contracted. The council of Agde gives this account of them: Concerning incestuous conjunctions, say they,[33] we allow them no pardon, unless the offending parties cure the adultery by separation from each other. We reckon incestuous persons unworthy of any name of marriage, and dreadful to be mentioned. For they are such as these: if any one pollutes his brother's relict, who was almost his own sister, by carnal knowledge: if any one takes to wife his own sister: if any one marries his step-mother, or father's wife: if any one joins himself to his cousin-german: if a man marries any one nearly allied to him by consanguinity, or one whom his near kinsman had married before: if any one marries the relict or daughter of his uncle by the mother's side, or the daughter of his uncle by his father's side, or his daughter-in-law, that is, his wife's daughter by a former husband. All which both heretofore, and now under this constitution, we doubt not to be incestuous: and we enjoin them to abide and pray with the catechumens, till they make lawful satisfaction. But we prohibit these things in such manner for the present time, as not to dissolve or cancel any thing that has been done before. And they who are forbidden such unlawful conjunctions, shall have liberty to marry more agreeably to the law. This canon is repeated almost word for word in the council of Epone,[34] only the last clause is read negatively, they shall not have liberty to marry again, which is plainly a corruption crept into the text by the negligence of some unskilful transcriber. For, in the second council of Tours[35] this very canon of Epone is cited and read in the same manner as it is in the council of Agde: and the Roman correctors upon Gratian[36] observe, that it is so read in the Register of Gregory and the Capitulars of Charles the Great. I only observe further, that whereas the marriage of cousin-germans is reckoned incestuous in these canons, it was not so in the ancient laws of the church, till Theodosius first made it so by the advice of St. Ambrose: which inhibition did not last long; for Arcadius revoked it, and Justinian revived the old law by inserting it into his Code. Of all which I have given a more ample account in a former[37] Book. What is necessary to be added in this place, is only this further remark: that whatever the church at any time reckoned to be incest, that was always esteemed a just impediment of marriage, and accordingly urged as a lawful cause, why persons so nearly allied should not come together in marriage; or if they did, it was a just reason to inflict the censures of the church upon them, till they dissolved such pretended marriage by separating from each other.

Sect. 4. Children under age not to marry without the consent of their parents, or guardians, or next relations.

Another reason of inhibition in this affair was, when children under age went about to marry without the consent of their parents, or guardians, or next relations, who, in case the parents were dead, had the paternal power and care of them. The civil law was extremely severe in this case, not only against the raptors themselves, who stole young virgins against their parents' consent; and all that aided and assisted them therein, who were either to be banished or burned alive; but also against the virgins themselves, who conspired in such matches against the parents' will: as I have had occasion to show heretofore from several laws of Constantine, Constantius, Valentinian, and Gratian, mentioned in both the Codes.[38] Now, this being the case of the imperial laws, the church was exceeding cautious not to transgress or incur any blame upon this score. Tertullian seems to testify for his own time, when he says,[39] That children could not rightly and lawfully marry without the consent of their earthly parents, as well as the approbation of their Father in heaven. And that the church allowed no clandestine marriages: for all such, that were not[40] pub-

[32] Book XVI. chap. 11. sect. 3.

[33] Conc. Agathen. can. 61. De incestis conjunctionibus nihil prorsus veniæ reservamus, nisi quum adulterium separatione sanaverint. Incestos vero nullo conjugii nomine deputandos, quos etiam designare funestum est. Hos enim censemus esse: si quis relictam fratris, quæ pene prius soror extiterat, carnali conjunctione polluerit: si quis frater germanam uxorem duxerit: si quis novercam duxerit: si quis consobrinæ suæ se sociaverit: si quis relictæ vel filiæ avunculi misceatur, aut patrui filiæ, vel privignæ suæ: aut qui ex propria consanguinitate aliquam, aut quam consanguineus habuit, concubitu polluat, aut duxerit uxorem. Quos omnes et olim, et sub hac constitutione incestas esse non dubitamus, et inter catechumenos manere et orare præcipimus. Quod ita præsenti tempore prohibemus, ut ea quæ sunt hactenus instituta non dissolvamus. Sane quibus conjunctio illicita interdicitur, habebunt ineundi melioris conjugii libertatem.

[34] Conc. Epaunen. can. 30.

[35] Conc. Turon. 2. can. 22.

[36] Gratian. Caus. 35. Quæst. 2. cap. 8. de Incestis.

[37] Book XVI. chap. 11. sect. 4.

[38] See Book XVI. chap. 9. sect. 2.

[39] Tertul. ad Uxor. lib. 2. cap. 9. Nam nec in terris filii sine consensu patrum rite et jure nubent.

[40] Id. de Pudicit. cap. 4. Ideo penes nos occultæ quoque conjunctiones, id est, non prius apud ecclesiam professæ,

licly beforehand professed or notified before the church, were in danger of being judged fornication and adultery: and they could not be excused from guilt under pretence of being real matrimony. St. Austin in like manner asserts the power of parents in this case; for speaking of a young virgin, who was a minor, under the protection of his church, to keep her safe from all attempts of making her a prey to any raptor, he says,[41] her age would not yet permit him to give, or so much as promise her to any one, though by her own consent; because she had an aunt, without conferring with whom he neither could nor ought to do any thing in the matter. Besides, though her mother did not then appear, yet perhaps hereafter she might appear, and then nature gave her will the preference before all others in disposing of her daughter, unless she were arrived to that age which gives her a free liberty and right to dispose of herself. St. Basil often speaks[42] of such minors stolen and married clandestinely without the parents' consent: but he says such pretended marriages were not matrimony, but fornication; and of no validity, but null, unless the parents thought fit to ratify them afterwards by their consent: meanwhile the transgressors were to do the penance of harlots and fornicators in the church. And there was the more reason both for this caution antecedent, and subsequent severity, because not only the civil law under Christian emperors, but the old Roman law under heathens, was very precise and strict in this matter of the necessity of consent of parents to a lawful marriage; without which it was reckoned illegitimate, and the children spurious. Justinian has inserted some of the laws of the heathen emperors,[43] Severus and Antoninus Caracalla, relating to this matter, into his Code. And it otherwise appears from Apuleius, who, alluding to several particulars which render a marriage null, as being against law, thus brings in Venus insulting Psyche for pretending to be married to her son Cupid: A marriage with so great disparity, huddled up privately in a village without witnesses, the father[44] not consenting, cannot be thought a lawful marriage; and therefore thy son will be spurious or a bastard. What, therefore, was thought so necessary to legitimate a marriage among the heathens, was certainly much more so among the Christians. And there is no example, that I know of, to be found of the church's allowing or approving any marriage to be lawful, where the consent of the parents, disposing of their children when under age, was not had first or last to the ratification of it.

Sect. 5. Slaves not to marry without consent of their masters.

The same power and right which parents had over their children, masters had over their slaves: and for this reason no slave could marry without the consent of his master; or if any did, it was in the master's power whether he would ratify or rescind the marriage. If slaves, says St. Basil,[45] marry without the consent of their masters, or children without the consent of their parents, it is not matrimony, but fornication, till they ratify it by their consent. And again,[46] If a slave marry without the consent of her master, she differs nothing from a harlot; for contracts made without the consent of those under whose power they are, have no validity, but are null.

Sect. 6. Persons of superior rank not to marry slaves.

Another thing required to a lawful marriage was, that there should be some parity of condition between the contracting parties. Persons of a superior rank might not debase themselves to marry slaves. The civil law requires that they should be *pares genere et moribus*,[47] of equal rank and condition. By which the law did not mean, that they should be equal in fortune, but that there should be no such disparity in their condition as between a freeman and a slave; nor any such disparity in their morals, as between an actress and a senator, or any one of a liberal and ingenuous education: as the matter is accurately explained in one of the laws of Valentinian and Marcian[48] upon this head. We do not intend her to be judged of a low and abject condition, who, though she be poor, yet is born of liberal and ingenuous parents. And, therefore, we declare it lawful for senators, or any others of the highest dignity, to marry women that are born of

juxta mœchiam et fornicationem judicari periclitantur. Nec inde consertæ obtentu matrimonii crimen eludant.

[41] Aug. Ep. 233. In ea vero ætate est, ut si voluntatem nubendi haberet, nulli adhuc dari vel promitti deberet—Habet materteram, &c. Fortassis quæ nunc non apparet, apparebit et mater, cujus voluntatem in tradenda filia omnibus, ut arbitror, natura præponit: nisi eadem puella in ea jam ætate fuerit, ut jure licentiori sibi eligat ipsa quod velit.

[42] Basil. can. 22, 38, 42.

[43] Cod. Justin. lib. 5. Tit. 4. de Nuptiis, Leg. 1 et 2.

[44] Apulei. de Asino aureo, lib. 6. p. 104. Impares nuptiæ, et præterea in villa sine testibus, et patre non consentiente factæ, legitimæ non possunt videri: ac per hoc spurius ille nascetur.

[45] Basil. can. 42.

[46] Id. can. 38.

[47] Cod. Theod. lib. 3. Tit. 7. de Nuptiis, Leg. 1.

[48] Cod. Justin. lib. 5. Tit. 5. de Incestis et Inutilibus Nuptiis, Leg. 7. Humilem vel abjectam fœminam minime eam judicamus intelligi, quæ licet pauper, ab ingenuis tamen parentibus nata sit: unde licere statuimus senatoribus, et quibuscunque amplissimis dignitatibus præditis, ex ingenuis parentibus natas, quamvis pauperes, in matrimonium sibi accipere, nullamque inter ingenuas et opulentiores ex divitiis et opulentiore fortuna esse distantiam. Humiles vero abjectasque personas eas tantummodo mulieres esse censemus; ancillam, ancillæ filiam; libertam, libertæ filiam; scenicam, scenicæ filiam; tabernariam, tabernarii vel lenonis vel arenarii filiam; aut eam quæ mercimoniis publice præfuit. Ideoque hujusmodi inhibuisse nuptias senatoribus harum fœminarum, quas modo enumeravimus, æquum est.

ingenuous parents, although they be poor, and that there shall be no distinction in this case between ingenuous women and those that are rich by a great and opulent fortune. But we account these women only vile and abject persons, viz. a slave, or the daughter of a slave; a freed woman, or the daughter of a freed woman; an actress, or the daughter of an actress; an innkeeper, or the daughter of an innkeeper, or of a pander, or of a gladiator, that is, one that was used to fight with men or wild beasts upon the stage; or any who was wont to sell smallwares publicly in the market. With such women as these it is just to forbid senators to join in marriage. Constantine[49] had made a law before to forbid all senators, and governors of provinces, and city magistrates, and high priests of provinces, to marry slaves, or freed women, or actresses, &c., under pain of infamy and outlawry, and of having their children illegitimate, and incapable of succeeding to any part of their fathers' substance or possessions. And the better to secure women of noble extract from the base attempts of vile and abject men, and those of infamous character, the law provided with great caution, that no one of an inferior condition should solicit a woman of any noble family, or try to gain her by corrupting those that were about her by any clandestine arts, but that her relations[50] should be consulted, and all things be transacted publicly in the presence of the nobles, who were not to be supposed inclinable to give way to any such fraud in bringing about any such unequal contract. Nay, the *curiales* or common-council men of any city were expressly forbidden by a law of Constantine to marry a woman that was a slave, under pain of the woman's being condemned[51] to the mines, and the man himself to perpetual banishment, with confiscation of all his movable goods and city slaves to the public, and all his lands and country slaves to the city of which he was a member. And there is no doubt, but that what was so severely punished in the civil state, was as duly regarded in the ecclesiastical, that they might not be accessory or aiding to any such illegal practices, which would have reflected great dishonour and scandal on the church; though I remember no ecclesiastical canons expressly made against them.

Sect. 7. Judges of provinces not to marry any provincial woman, during the year of their administration.

There were also some reasons of state, why a judge of a province should not marry any woman of that province during the year of his administration. Not because it was below his dignity, but because he might reasonably be supposed, by virtue of his power and superior influence over all about him, to overawe and terrify a woman into a compliance of marriage against her real inclinations, and not leave her parents or guardians at free liberty to dispose of her at their own discretion. To prevent which inconvenience and oppression, Theodosius made a law,[52] That if any judge of a province, who might be a terror to parents or tutors and guardians, or to women that might contract marriage, should betroth a woman during the time of his administration; if afterward either the parent or the woman herself should change their mind, they should be free from the snare and punishment of the law, which appoints in that case a quadruple restitution to be made for breach of contract. And this order extends not only to the judge himself, but to his children, grandchildren, kinsmen, counsellors, and all his domestics, who might be supposed to terrify women into marriage contracts by virtue of the judge's power. Yet if any woman, that was so betrothed, was minded to fulfil the contract and make good her espousals after his administration was ended, she might lawfully do it. By which it is plain, that this was only a restraint laid upon certain persons for a season, viz. upon provincial judges, not to marry any woman of their own province during the year of their administration. They were not debarred from marrying any others, but only those of their own province, for the prudent reasons which the law assigns.

Sect. 8. Widows not to marry again till twelve months after their husband's death.

The case was much the same with widows: they were not restrained from marrying a second time, but yet they were tied up and limited by law not to do this till a year after the death of their former husband. This was the law of the old Ro-

[49] Cod. Justin. lib. 5. Tit. 25. de Naturalibus Liberis, Leg. 1. Senatores, seu præfectos, vel quos in civitatibus duumviralitas, vel sacerdotii, id est, Phœniciarchiæ vel Syriarchiæ ornamenta condecorant; placet maculam subire infamiæ, et alienos a Romanis legibus fieri; si ex ancilla, vel ancillæ filia; vel liberta, vel libertæ filia; vel scenica, vel scenicæ filia; vel humili vel abjecta persona, vel lenonis aut arenarii filia, vel quæ mercimoniis publice præfuit, susceptos filios in numero legitimorum habere voluerint, &c.

[50] Ibid. Nuptias nobiles nemo redimat, nemo sollicitet, sed publice consulatur affinitas, adhibeatur frequentia procerum.

[51] Cod. Theod. lib. 12. Tit. 1. de Decurionibus, Leg. 6. Si decurio fuerit alienæ servæ conjunctus, et mulierem in metallum trudi sententia judicis jubemus, et ipsum decurionem in insulam deportari, &c. Vid. Apulei. lib. 6. Impares nuptiæ non sunt legitimæ.

[52] Cod. Theod. lib. 3. Tit. 6. Leg. 1. Si quis in potestate publica positus, atque honore provinciarum administrandarum, qui parentibus, aut tutoribus, aut curatoribus, aut ipsis quæ matrimonium contracturæ sunt, potest esse terribilis, sponsalia dederit; jubemus, ut deinceps sive parentes, sive eædem mutaverint voluntatem, non modo juris laqueis liberentur, pœnæque expertes sint, quæ quadruplum statuit, sed extrinsecus data pignora lucrativa habeant, si ea non putent esse reddenda, &c. See also Cod. Theod. lib. 3. Tit. 11. Si quicunque præditus potestate nuptias petat invitæ.

mans, even from the time of their first founder, Romulus. But the Roman year being then but ten months, the time of a widow's mourning was no longer at first: nor was it enlarged for many ages after, though the year itself was quickly enlarged by Numa to twelve months; yet still the widow's year was only according to the old computation. So that whenever we read of a widow's mourning a year after her husband's death, it is to be understood of the Romulean year of ten months only. And so the matter stood till the time of Theodosius, who added two months to the former term by an express law, which runs in these words:[53] If any woman, after the loss of her husband, make haste to be married to another within the space of a year, (for we have added a little time to the ten months, though we think it but a small term,) let her be branded with the marks of infamy, and deprived of the honour and privilege of a genteel and noble person; and let her forfeit whatever goods she is possessed of, either by the right of espousals, or by the last will and testament of her deceased husband.

Sect. 9. Women not to marry in the absence of their husbands till they were certified of their death.

If any woman's husband went abroad, and continued absent from her, there was no time limited for her marrying again, but she must wait till she was certified of his death. Otherwise she was reputed guilty of adultery. So St. Basil:[54] She whose husband is absent from home, if she cohabit with another man before she is satisfied of his death, commits adultery. This was the case of a soldier's wife, (marrying after the long absence of her husband, yet before she was certified of his death,) as he determines[55] in another canon: but he reckons her more pardonable than another woman, because it was more probable that he might be dead. In these cases, if the first husband appeared again, he might claim his wife, and the second marriage was null and of no effect, as is determined in the council of Trullo,[56] where these canons of St. Basil are repeated. But the civil law allowed a soldier's wife to marry[57] after four years' expectation.

Sect. 10. Guardians not to marry orphans in their minority, till their guardianship was ended.

By the old Roman law a guardian might not marry a woman to whom he was guardian; neither might he give her in marriage to his own son. There are several laws of Severus, Philip, and Valerian,[58] in the Justinian Code, to this purpose. The only exception then was, when the guardian did it by the prince's licence and particular rescript. But Constantine determined this matter with another distinction; which was, That the guardian[59] should not marry the orphan whilst she was a minor, and under his care; but when she was of age he might marry her, first proving that he had not defiled her in her minority. But if he had offered any injury to her before, he was not only debarred from marrying her, but was also to be banished, and all his goods to be confiscated to the public.

Sect. 11. When first the prohibition of spiritual relations marrying one with another came in.

By some rules, though not of the first and prime antiquity, certain degrees of spiritual relations were prohibited from making marriages one with another. The thing was first thought of by Justinian, who made a law,[60] forbidding any man to marry a woman for whom he had been godfather in baptism; because nothing induces a more paternal affection, or juster prohibition of marriage, than this tie, by which their souls are in a Divine manner united together. The council of Trullo improves this matter a little further,[61] and forbids the godfather not only to marry the infant, but the mother of the infant for whom he was surety; ordering such as have done so, first to be separated, and then to do the penance of fornicators. The canon law afterward extended this relation to the baptizer and the baptized, and to the catechist and catechumen,[62] and I know not what other degrees of spiritual kindred; and the popes with the same reason might have used their authority to have prohibited all Christians from marrying one with another; because by baptism and many other ties they are more undoubtedly spiritual brethren. But Estius[63] owns this is too absurd to be maintained, because it would oblige all Christians either to abstain from marriage, or else to marry infidels; and yet he gravely defends all the other extravagant prohibitions upon the infallible authority of the church.

Sect. 12. Whether a man might marry after a lawful divorce?

But to return to the ancient church. Many of the primitive writers were of opinion, that the bond of matrimony

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[53] Cod. Theod. lib. 3. Tit. 8. de Secundis Nuptiis, Leg. 1. Si qua ex fœminis perdito marito, intra anni spacium alteri festinarit innubere (parum enim temporis post decem menses servandum adjicimus, tametsi idipsum exiguum putemus) probrosis inusta notis, honestioris nobilisque personæ et decore et jure privetur; atque omnia, quæ de prioris mariti bonis, vel jure sponsaliorum, vel judicio defuncti conjugis consecuta fuerat, amittat.

[54] Basil. can. 31. [55] Id. can. 36. [56] Conc. Trull. c. 93.

[57] Cod. Justin. lib. 5. Tit. 17. Leg. 7.

[58] Cod. Just. lib. 5. Tit. 6. de interdicto Matrimonio inter Pupillam et Tutorem seu Curatorem, eorumque Filios, Leg. 1, 4, 6, 7.

[59] Cod. Theod. lib. 9. Tit. 8. Leg. 1. Ubi puella ad annos adultæ ætatis accesserit, et aspirare ad nuptias cœperit, tutores necesse habent comprobare, quod puellæ sit intemerata virginitas, cujus conjunctio postulatur. Quod ne latius porrigatur, hic solus debet tutorem nexus adstringere, ut seipsum probet ab injuria læsi pudoris immunem: quod ubi constiterit, omni metu liber, optata conjunctione frui debebit.

[60] Cod. Just. lib. 5. Tit. 4. de Nuptiis, Leg. 26.

[61] Conc. Trull. can. 53.

[62] Sext. Decretal. lib. 4. Tit. 3. de Cognat. Spirituali, cap. 3.

[63] Estius in Sent. lib. 4. Dist. 42. n. 1.

was not dissolvable by any thing but death. And therefore they not only condemned polygamy, or marrying a second wife while the first was living; and marrying after an unlawful divorce, which was much the same thing with polygamy in real estimation; but they reckoned it unlawful also to marry after a lawful divorce; because, though there might be reason for a separation, yet they thought there was no dissolution of the marriage so long as both the parties were living. I shall say nothing further here of the unlawfulness of polygamy, or of marrying again after an unlawful divorce; because I have had occasion heretofore [64] to speak fully of the laws and discipline of the church against both these; but the prohibition of marrying again after a lawful divorce is what deserves a little further consideration.

And here I observe, that the ancients were divided in their sentiments upon the point. Origen was against marrying after such a divorce, yet he says,[65] There were some bishops in his time, who permitted a woman to marry whilst her former husband was living. Which was indeed against Scripture, which says, "The woman is bound so long as her husband liveth:" and, "She shall be called an adulteress, if, whilst her husband liveth, she be married to another man." Yet they did not permit this altogether without reason; for, perhaps for the infirmity of such as could not contain, they tolerated that which was evil, to avoid that which is worse, though contrary to that which was written from the beginning. Here it is reasonable to suppose, that those bishops who allowed men and women to marry after divorce, did not think it simply evil, though it was so in Origen's opinion. And the same is to be said of Constantine, who made a law,[66] That a man for three crimes, adultery, sorcery, and pandery, might lawfully put away his wife, and marry another. For, as Gothofred rightly observes, in saying, that unless she was guilty of one of those three crimes, he might not marry another, it is plainly implied, that if he proved her guilty of any of the three, he had liberty to put her away, and marry another. The author under the name of St. Ambrose was of the same opinion; for, expounding those words of the apostle, "A brother or a sister in such a case is not under bondage," he says, If Esdras[67] cast out the infidels, and allowed the faithful to marry other wives; how much rather, if an infidel departs of his own accord, shall the believing woman have liberty, if she pleases, to be married to a man of her own religion! And he gives this reason for it; because an indignity offered to the Creator dissolves the obligation of matrimony with respect to him who is deserted, so that he is excused though he be joined to another; forasmuch as an infidel is injurious both to God and to matrimony itself by desertion. Epiphanius speaks not only his own sense, but the sense of the church in his time; and he says plainly, That though the clergy were prohibited from marrying a second wife after the death of the first; yet the people were not only allowed to marry again in such a case, but also in case of divorce,[68] if a separation was made upon the account of fornication, or adultery, or any such criminal evil, and a man thereupon was joined to a second wife, or a woman to a second husband, the word of God did not condemn them, nor exclude them from the church nor eternal life, but tolerate them because of their infirmity; not that a man should have two wives at the same time, but that, being divorced or separated from the first, he might lawfully be joined to a second. Petavius freely owns[69] that this is a full proof in fact of the church's sentiments at that time; only he says, the matter was not then fully determined, nor settled by any general council. Which is not very material to the present inquiry; which is not about the determinations of the councils of Florence or Trent, but about the sense and practice of the ancient church. Now, what Epiphanius observes concerning the toleration of such marriages in the church without any check of ecclesiastical censure, is further confirmed even from the council of Arles and St. Austin, though they were of a different opinion from Epiphanius as to the sense of Scripture. They thought men were forbidden to marry again after divorce whilst the first

[64] Book XVI. chap. 11. sect. 5 et 6.

[65] Orig. Hom. 7. in Mat. t. 2. p. 67. Scio quosdam, qui præsunt ecclesiis, extra Scripturam permisisse aliquam nubere, viro priori vivente; et contra Scripturam fecerunt quidem, dicentem, Mulier ligata est quanto tempore vivit vir ejus: Item, Vivente viro adultera vocabitur, si facta fuerit alteri viro. Non tamen omnino sine causa hoc permiserunt: forsitan enim propter hujusmodi infirmitatem incontinentium hominum, pejorum comparatione quæ mala sunt permiserunt, adversus ea quæ ab initio erant scripta.

[66] Cod. Theod. lib. 3. Tit. 16. de Repudiis, Leg. 1. In masculis etiam, si repudium mittant, hæc tria crimina inquiri conveniet, si mœcham, vel medicamentariam, vel conciliatricem repudiare voluerit: nam si ab his criminibus liberam ejecerit, omnem dotem restituere debet, et aliam non ducere.

[67] Ambros. in 1 Cor. vii. 15. Si Esdras dimitti fecit uxores aut viros infideles, ut propitius fieret Deus, nec iratus esset, si alias ex genere suo acciperent: (non enim ita præceptum his est, ut remissis istis alias minime ducerent:) quanto magis, si infidelis discesserit, liberum habebit arbitrium, si voluerit, nubere legis suæ viro?——Non est peccatum ei qui dimittitur propter Deum, si alii se junxerit, contumelia enim Creatoris solvit jus matrimonii, &c.

[68] Epiphan. Hær. 59. n. 4. Ἕνεκεν τινὸς προφάσεως, πορνείας, ἢ μοιχείας, ἢ κακῆς αἰτίας χωρισμοῦ γενομένου, συναφθέντα δευτέρᾳ γυναῖκὶ οὐκ αἰτιᾶται ὁ θεῖος λόγος, οὐδὲ ἀπὸ τῆς ἐκκλησίας καὶ τῆς ζωῆς ἀποκηρύττει, κ.τ.λ.

[69] Petav. in loc. p. 255. Illis temporibus nondum ea res ab ecclesia definita prorsus fuerit, &c.

wife was living; but they did not think this so clearly revealed, as to make it a high crime and just matter of excommunication, like other plain cases of adultery. The council[70] orders, That such men shall be dealt with and advised, as much as might be, not to marry a second wife, while the former, that was divorced for adultery, was living; but they say not a word of any ecclesiastical censure to be passed upon them, if they did otherwise. And St. Austin confesses,[71] There was a very great difference to be made between such as put away their wives for adultery and married again, and such as did so upon other reasons; for this question, whether he who without doubt has liberty to put away his wife for adultery, be to be reckoned an adulterer if he marries again, is a matter so obscurely resolved in Scripture, that a man may be supposed to err venially about it. And therefore he concludes, That all that the ministry has to do in this case, is only to persuade men not to engage in such marriages; but if they will marry, notwithstanding the contrary advice that is given them, he will not venture to say, that such men ought therefore to be kept out of the church. St. Austin was fully persuaded in his own mind, that such marriages after divorce were unlawful. For he often[72] repeats it in his works, and uses what arguments he could to dissuade men from them; not scrupling to declare his opinion of them, as suspicious and doubtful marriages, that might stand charged with adultery. But then, he no where intimates, that the church either did or ought to treat persons so marrying as she did other adulterers, (whose adultery was more indisputable,) either by dissolving the marriage, or bringing the persons under excommunication and public penance in the church; but rather declares the error of such persons to be venial, because it was not so expressly condemned in Scripture. And thus much Estius[73] owns, only he says, It was not then condemned by any general council. There is one instance indeed, given by St. Jerom,[74] of a woman doing public penance in the church for marrying a second husband after she had divorced herself from the first, upon the account of his adultery, and his other intolerable practices. But this was a voluntary act of her own, and not done till after the death of her second husband: the church did not impose this penance on her, whilst her husband was living, nor yet when he was dead; but she chose it of her own accord, and submitted to it without any compulsion. Had there been any general law then in the church, either to dissolve such marriages, or bring the parties to public penance, no doubt the bishop of Rome would have called upon them both, whilst the husband was living, to have complied with the rule and the discipline of the church: but this not being done, seems to be an argument, that then it was not the custom of the Roman church to inflict any public censures upon such as married again after a lawful divorce, but only to use what arguments she could to dissuade men and women from such marriages till the former husband or wife were dead: or else, if they did engage in them, to exhort them to repent of such engagements, as crimes prohibited by the apostle. Which St. Jerom himself[75] does with no small vehemence, according to his manner, telling a woman who had so married a second husband, that she was an adulteress for so doing, and that she ought not to receive the communion till she repented of her crime. By which I suppose he means her obligations to private repentance, and not any solemn penance imposed by the public discipline of the church. Yet in the Spanish church before this time there seems to have been something of public discipline exercised against such persons, especially women, joining in second marriages whilst the first husband was living. For in the council of Eliberis[76] there is a canon which orders, That if a woman who is a believer put away an adulterous husband, who is also a believer, and go about to marry another, she shall first be dissuaded from it: but if notwithstanding that she does marry, she shall not receive the communion

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[70] Conc. Arelat. 1. can. 10. Placuit, ut in quantum potest, consilium eis detur, ne viventibus uxoribus suis, licet adulteris, alias accipiant.

Note, that Petavius reads this canon differently from all the printed editions: for whereas they read the beginning of it thus, De his qui conjuges suas in adulterio deprehendunt, et iidem sunt adolescentes fideles, et prohibentur nubere; he contends that it ought certainly to be read, Non prohibentur nubere: and then, as he says, it is another evident proof, that innocent persons after a lawful divorce were not prohibited to marry in those days. Petav. Animadvers. in Epiphan. Hær. 59. p. 255. See also St. Basil, can. 9. to the same purpose.

[71] Aug. de Fide et Oper. cap. 19. Quisquis uxorem adulterio deprehensam dimiserit et aliam duxerit, non videtur æquandus eis, qui excepta causa adulterii dimittunt et ducunt. Et in ipsis Divinis sententiis ita obscurum est, utrum et iste, cui quidem sine dubio adulteram licet dimittere, adulter tamen habeatur, si alteram duxerit, ut quantum existimo venialiter ibi quisque fallatur.

[72] Vid. Aug. de Adulterinis Conjugiis, lib. 1. cap. 1. et 24. De Nuptiis et Concup. lib. 1. cap. 10. De Bono Conjugali, cap. 7. De Sermone Dom. in Monte, lib. 1. c. 14.

[73] Estius, in Sent. lib. 4. Dist. 35. n. 11.

[74] Hieron. Epitaph. Fabiolæ, Ep. 30. ad Oceanum. Quis hoc crederet, ut post mortem secundi viri in semetipsam reversa, saccum indueret, ut errorem publice fateretur, et tota urbe spectante Romana, ante diem Paschæ, basilica quondam Laterani staret in ordine pœnitentium? &c.

[75] Hieron. Ep. 147. ad Amandum.

[76] Conc. Eliber. can. 9. Fœmina fidelis, quæ adulterum maritum reliquerit fidelem, et alterum ducit, prohibeatur ne ducat; si duxerit, non prius accipiat communionem, nisi quem reliquerit prius de sæculo exierit, nisi forte necessitas infirmitatis dare compulerit.

till her first husband be dead, unless the necessity of sickness require it to be given her. But as this was but a canon of a private council, so here are several exceptions and abatements in it. First, it only respects women, and not men. Then, again, it only relates to women that were believers, and not catechumens, who by the next canon are allowed notwithstanding to be admitted to baptism, as St. Austin also determined. Thirdly, the husband also that was deserted, must be a believer; for the case is otherwise if he was a heathen. Lastly, she is allowed the communion at the point of death, though she never relinquished the second husband. So that as yet the prohibition was not universal upon many accounts. Afterwards we find in one of the laws of Honorius, That if a woman[77] could prove her reason weighty and sufficient for a divorce, she might not only retain her dowry and the donations of her espousals, but also within five years have liberty to marry again. And a man, if he could prove his reasons for divorce weighty against his wife, might not only retain her dowry and gifts of espousal, but have liberty to marry another wife whenever he pleased. Or if they were only light faults, and not high crimes, that he had to allege against his wife, he was to leave her her dowry, but might reclaim any espousal gifts, and have liberty to marry another wife after two years. But if a man put away his wife for no reasons at all, but only his own moroseness, he was condemned to live in perpetual celibacy for his insolent divorce, and the woman had liberty within a year to be married to another man. And there are several laws of Theodosius junior, and Valentian III., and Anastasius in the Justinian Code,[78] which grant the same liberty of marrying after lawful divorces. But these laws are not altogether approved by the writers of the church in those times. For as we have heard St. Austin and St. Jerom express their dislike before, so we may find the same in Chrysostom,[79] and Ambrose,[80] and Pope Innocent,[81] and other writers of that age, who reckon the laws of the state too loose and favourable to such as married after divorce. Which serves only to confirm the observation which I made at first, that the ancients were divided upon this point, and treated it only as a problematical question, though the council of Trent has since turned it into an article of faith,[82] and damned all those that come not into her sentiments about it. And in her sentence, to note this by the by, she has also condemned some of her own popes and councils of later ages, which Gratian has recorded. Pope Zachary[83] allows a woman, whose husband had committed incest with her sister, to put him away, and marry to whom she would in the Lord. And Gregory III. allows a man to put away his wife for infirmity[84] and marry another. The council of Tribur[85] says, If a son commits incest with his mother-in-law, the father may put her away and marry another, if he pleases. And the council of Vermeriæ (which in some copies of Gratian is falsely called the council of Eliberis) says,[86] If a woman take counsel with others to compass the death of her husband, he may dismiss her for the attempt, and marry another, if he pleases. So that the new legislators at Trent were as much at variance with their own canon law, as they were with the ancient fathers upon this subject.

Sect. 13. Whether an adulterer might marry an adulteress, whom he had defiled, after the death of her husband?

Nor are the Roman casuists better agreed with the ancients upon another question relating to the impediments of marriage, viz. Whether an adulterer may marry another man's wife after the death of her husband, having been guilty of adultery with her whilst her former husband was living? The modern canonists commonly resolve this in the negative. The council of Tribur in Germany, which was held in the year 895, under Pope Formosus, proposes a famous case of a man who defiled another man's wife, and swore he would marry her after her husband's death: the council peremptorily[87] determines this to be unlawful: We anathematize such a marriage, and forbid it to all Christians. It is not lawful therefore, nor agreeable to the Christian religion, that any one should use her in matrimony, whom he had before defiled by adultery. Peter Lombard[88] and Gratian[89] cite other authorities of Pope Leo and the council of Althæum to this purpose: and the modern canonists commonly stand to their determination,[90] only making some nice distinctions to reconcile these canons to better authorities of the ancients; for the ancients in this matter were of another opinion. St. Austin resolves the question in the affirmative, uni-

[77] Cod. Theod. lib. 3. Tit. 16. de Repudiis, Leg. 2. Si graves causas probaverit, quæ recedit, dotis suæ compos, sponsalem quoque obtineat largitatem, atque a repudii die post quinquennium nubendi recipiat potestatem, &c.

[78] Cod. Just. lib. 5. Tit. 17. de Repudiis, Leg. 8 et 9.

[79] Chrys. Hom. 17. in Mat.

[80] Ambros. de Abraham. lib. 1. c. 4.

[81] Innoc. Ep. 3. ad Exuper. c. 6.

[82] Conc. Trident. Sess. 24. can. 7.

[83] Ap. Gratian. Caus. 32. Quæst. 7. cap. 23. Nubat in Domino cui vult.

[84] Ibid. Caus. 32. qu. 7. c. 18.

[85] Ibid. cap. 24. Si quis cum noverca sua dormierit, neuter ad conjugium potest pervenire: sed vir ejus potest, si vult, aliam accipere, si se continere non potest.

[86] Conc. Vermer. ap. Gratian. Caus. 31. qu. 1. cap. 6. Si qua mulier in mortem mariti sui cum aliis consiliata sit, ipse vir potest uxorem dimittere, et si voluerit, aliam ducere.

[87] Conc. Tribur. can. 40. Tale connubium anathematizamus, et Christianis omnibus obseramus. Non licet ergo, nec Christianæ religioni oportet, ut ullus ea utatur in matrimonio, cum qua prius pollutus erat adulterio.

[88] Lombard. Sent. Dist. 35. lib. 4.

[89] Gratian. Caus. 31. qu. 1.

[90] Vid. Estium in Sent. lib. 4. Dist. 35. n. 13.

versally and without distinction,[91] That when a woman's husband was dead, to whom she was truly married, she might become the true and lawful wife of another, with whom before she had committed adultery. And again,[92] It is manifest, that they who at first join wickedly together in concubinage, may afterward by changing their wills make a just and honest marriage together. And therefore the council of Eliberis determined,[93] That though a woman, who left her husband, and lived adulterously with another, should not communicate so long as her husband was living; yet she might after his death, because then she became the lawful wife of him, with whom before she had only lived in adultery. Albaspiny,[94] in his notes upon this canon, makes this candid remark: In those times you may observe, that matrimony might stand firm and valid between adulterers, who had to do with one another whilst the true and lawful husband was living; which now is so prohibited, that a woman, even after the death of her husband, cannot make a true and lawful marriage with her adulterer, but only by the dispensation of the pope. Which is a plain and ingenuous confession of the difference between the ancient and modern way of resolving this question; and perhaps tacitly intimates the true reason of inventing so many new impediments in the business of matrimony, that the pope might have it in his power to grant frequent dispensations. All that the ancient canons required in this particular case, was only that the criminals should perform a just and satisfactory penance for their former adultery, but they never forbade them to marry, nor dissolved the marriage, if it was contracted regularly after the death of the former husband, without any other impediment to hinder or disannul it. As appears from another canon of the council of Eliberis, which orders,[95] That if a widow commit adultery with a man, and afterward take him for her husband, she shall do five years' penance, and then be reconciled to the communion, or by the communion: but if she leaves him, and marries any other, she shall not have the communion even at her last hour. Where it is observable, that the council is so far from prohibiting or disannulling the marriage of an adulteress with her adulterer, that they oblige her to keep him for her husband, and take no other, under pain of being refused the communion even at the hour of death. Which is abundantly sufficient to show us the sense of the ancients upon this point, that they never reckoned it needed a dispensation to bring adulterers into a lawful marriage, though this has been the current practice of the Roman court now for many ages.

Sect. 14. The celebration of marriage forbidden in Lent.

I have but one thing more to observe concerning the ancient prohibitions of marriage; and that relates to the time or season in which it might or might not be regularly celebrated. The most ancient prohibition that we meet with of this kind, is that of the council of Laodicea, which forbids[96] all marriages as well as birthdays to be celebrated in Lent. And this is the only prohibition in point of time that we meet with in any of the genuine records of those early ages. Peter Lombard[97] and Gratian[98] cite a canon out of the council of Lerida, anno 524, which forbids marriages not only in Lent, but three weeks before the festival of St. John Baptist, and from the beginning of Advent to Epiphany; ordering likewise all marriages that are made in these intervals to be annulled. But there is no such canon now extant in the tomes of the councils, which makes it suspicious, that it is some canon of a much later date than the council that is pretended. Martin Bracarensis lived some time after the council of Lerida, and in his collection of canons which he published anno 572, in the council of Lugo, he takes notice of the prohibition made at Laodicea, but not of the pretended one at Lerida,[99] nor of any other. Which is a further argument, that as yet there was no prohibition of marrying but only in Lent known in Spain, when the bishop of Braga made his collection of canons for the use of the Spanish church. Pope Nicholas I. lived about the year 860; and he also[100] takes notice of the prohibition of marriage in Lent, but mentions no other season. Yet Mr. Selden[101] says, The council of Aquisgranum, or Aix la Chapelle, held anno 836, under the emperor Lewis I., forbids marriages to be celebrated on the Lord's day, by a new injunc-

[91] Aug. De Nuptiis et Concup. lib. 1. cap. 10. Mortuo viro cum quo verum connubium fuit, fieri verum connubium potest cum quo prius adulterium fuit.

[92] Id. de Bono Conjugali, cap. 14. Posse sane fieri nuptias ex male conjunctis, honesto postea placito consequente, manifestum.

[93] Conc. Eliber. can. 9. Fœmina quæ maritum reliquerit, et alterum duxerit, non prius accipiat communionem, nisi quem reliquerit, prius de sæculo exierit.

[94] Albaspin. in loc. Illis temporibus, ut vides, matrimonium poterat stare et validum esse inter adulteros, qui vivente vero et legitimo marito rem simul habuerant: quod hodie ita prohibitum est, ut ne quidem post mortem mariti mulier possit cum adultero nuptias firmas et legitimas facere, nisi summo dispensante pontifice.

[95] Conc. Eliber. can. 72. Si qua vidua fuerit mœchata, et eundem postea habuerit maritum, post quinquennii tempus, acta legitima pœnitentia, placuit eam communione reconciliari. Si alium duxerit, relicto illo, nec in fine dandam esse ei communionem.

[96] Conc. Laodic. can. 52. Ὅτι οὐ δεῖ ἐν τεσσαρακοστῇ γάμους ἢ γενέθλια ἐπιτελεῖν.

[97] Lombard. Sent. lib. 4. Dist. 32.

[98] Gratian. Caus. 33. Quæst. 4. cap. 10.

[99] Martin. Bracar. Collect. Canon. c. 48.

[100] Nicol. Respons. ad Consulta Bulgaror.

[101] Selden. Uxor. Hebraic. lib. 2. cap. 30. p. 313. ex Synodo Aquisgran par 2. can. 17.

tion: which I do not find in the place by him quoted. However, the council of Salegunstade, anno 1022, under Benedict VIII. and the emperor Henry II., made an order,[102] That no Christians should marry from Advent to the octaves of Epiphany, nor between Septuagesima Sunday and the octaves of Easter, nor in fourteen days before the festival of St. John Baptist, nor upon fast days, nor the vigils of the solemn festivals. And from that time, as Mr. Selden shows at large, these were prohibited times of marriage in most churches. The learned reader, who would see further into this matter, together with the practice of the French and English churches in the following ages, may consult the elaborate discourse of that curious writer; for I must return to the ancient church.

CHAPTER III.

OF THE MANNER OF MAKING ESPOUSALS PRECEDING MARRIAGE IN THE ANCIENT CHURCH.

Sect. 1. How the *sponsalia* or espousals differed from marriage.

WHEN persons, against whom there lay no lawful impediment, were disposed to join in matrimony with each other, they were obliged to go through certain preliminaries appointed by custom or law, before they could ordinarily complete the marriage, or regularly come together. These went by the general name of *sponsalia*, espousals or betrothing. This differed from marriage, as an obligation or contract antecedent to a future marriage, may be supposed to differ from marriage actually solemnized and completed. And there were several distinct ceremonies proper and peculiar to each. For which reason (though they be by some writers confounded) I choose to speak separately of them here; as the ancient law, which either appointed or confirmed them, always does, giving them distinct titles in both the Codes. For there we find one title, *De Sponsalibus et Donationibus ante Nuptias*, Of Espousals and Gifts before[1] Marriage: and another, *De Nuptiis*,[2] Of Marriage itself. To give a summary account of the ceremonies observed in each of these: we may observe, first, of the espousals, that they consisted chiefly in a mutual contract or agreement between the parties concerning their future marriage, to be performed within a certain limited time; which contract was confirmed by certain gifts or donations, called *arræ et arrabones*, the earnest of marriage; as also by a ring, a kiss, a dowry, a writing or instrument of dowry, with a sufficient number of witnesses to attest it. After which there was no receding from the contract, or refusal to be made of marriage, without great penalties and forfeitures in law, and incurring many times the highest censures of the church. These were the preparatory ceremonies, or harbingers and forerunners of the future marriage, which were generally observed by obligation of the Roman laws, though not all of equal necessity to all manner of persons; for the law made some distinctions, and allowed of dispensations in some of these points to certain orders of men in some particular cases. As to the marriage itself, custom generally prevailed to have it solemnized by the ministers of the church; though, as the state of the Roman empire then stood, this was not absolutely necessary by any law; nor were those marriages annulled that were performed otherwise. But when it was done by the ministers, it was performed with a solemn benediction, together with the ceremonies of a veil and a coronet and some other rites; of which more in their proper place.

Sect. 2. Free consent of parties necessary in espousals.

I begin with the ceremonies observed in espousals. Where, first of all, there was necessary a free consent of the parties contracting. This was the old Roman law, called *lex Papia et Julia*, confirmed by Diocletian, and inserted by Justinian into his Code.[3] The discipline of the laws does not permit, that a son should be compelled to marry a wife against his will. And therefore, though parents had a right to dispose of their children in marriage, and children could not legally marry without their consent, as is expressed in the same law, as has been fully showed[4] before; yet children had an equal right to dispose of themselves, and ought not to be compelled by their parents to make any contract absolutely against their own inclinations. If a virgin was betrothed by the consent of a father,[5] or a mother, or a guardian before she was ten years old,

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[102] Conc. Salegunstad. can. 3.

[1] Cod. Theod. lib. 3. Tit. 5. Cod. Justin. lib. 5. Tit. 1 et 3.

[2] Cod. Theod. lib. 3. Tit. 7. Cod. Justin. lib. 5. Tit. 4.

[3] Cod. Justin. lib. 5. Tit. 4. de Nuptiis, Leg. 12. Nec filium quidem familias invitum ad uxorem ducendam cogi, legum disciplina permittit. Igitur sicut desideras, observatis juris præceptis, sociare conjugio quam volueris non impedieris: ita tamen ut contrahendis nuptiis patris tui consensus accedat.

[4] Chap. 2. sect. 4.

[5] Lex Theodosii in Cod. Theod. lib. 3. Tit. 5. de Sponsalibus, Leg. 6. Patri, matri, tutori, vel cuilibet, ante decimum puellæ annum datis sponsalibus, quadrupli pœnam remittimus, etsi nuptiæ non sequantur. Quod si decimo anno vel ultra, pater quisve alius, ad quem puellæ ratio pertinet, ante duodecim annos, id est, usque in undecimi metas, suscepta crediderit pignora esse retinenda, deinceps adventante tempore nuptiarum a fide absistens, quadrupli fiat obnoxius.——Duodecimo autem anno impleto, quisquis de nuptiis paciscitur, si quidem pater, semetipsum obliget; si mater, curatorve, aut alii parentes, puella fiat obnoxia. Cui quidem contra matrem, tutorem, curatorem, eumve parentem, actio ex bono et ex æquo integra reservatur eorum pignorum, quæ ex propriis juxta pœnam juris facultati-

in that case she might still refuse to complete the marriage without any quadruple forfeiture, (which the law required for breach of contract in other cases,) either to be exacted of her or her parents: because she was not yet of age to give any consent to an espousal; as Gothofred shows out of Dio and the ancient laws. If she was above ten, and not yet full twelve years old, when she was betrothed by her parents, and afterward refused to complete the marriage, her parents might be amerced, but not the virgin; because she was not yet of age and ripeness of judgment to give her free consent to such a contract. If she was above twelve years old when she made the contract, she was liable to be amerced quadruple by law for not completing the marriage according to the espousal contract. But then she had a just action of recovery of whatever she forfeited, against a mother, or a tutor, or a guardian, if she could prove that she was compelled by force to give her assent to the acceptance of the *arræ*, or donations made to her upon the espousal. And for the same reason, as I have showed[6] before, any woman who entered into an espousal contract with a governor of a province during the year of his administration, was at perfect liberty, when the year was ended, whether she would fulfil the contracts, and marry him, or not: because it was presumed, that he being in supereminent authority and power, might overawe a woman, and terrify her into an espousal against her will and real inclination. Such provident care did the ancient law take to secure the liberty of such as entered into espousal contracts, that nothing of this kind should stand firm, but what was voluntarily agreed upon by the free consent of each contracting party, without any force or violence of any kind intervening to compel them.

Sect. 3. The contract of espousals usually testified by gifts, called *arræ*, or *donationes sponsalitiæ*, which were sometimes mutually given and received both by the man and woman.

When the contract was thus made, it was usual for the man to bestow certain gifts on the woman, as tokens and pledges of the espousal: and sometimes, but not so commonly, the woman made presents to the man upon the same account. These are sometimes called *sponsalia*, espousals, and sometimes *sponsalitiæ donationes*, espousal gifts, and *arræ et pignora*, earnests and pledges of future marriage; because the giving and receiving them was a confirmation of the contract, and an obligation on the parties to take each other for man and wife, unless some legal reason gave them liberty to do otherwise. These were commonly given by the men, as I said, and sometimes by the women, though but rarely, as is noted in one of the laws of Constantine, which orders,[7] That if the woman give any thing to the man upon the title of espousal, (which is a thing that seldom happens,) in case either the man or the woman chanced to die before the marriage was completed, the whole dominion and property of whatever she gave should return to her, if she survived, or else to her heirs and successors. And the case was much the same with the donations made by the man to the woman, upon the death of either party before marriage: only with this difference, that if the man confirmed his donation by the intervention of the solemn kiss, (of which ceremony more by and by,) then, in case of death, the donation was to be divided between the survivor and the heirs of the deceased party; but if the ceremony of the kiss was not superadded, the whole donation was to be restored, in case either party died, either to the donor himself surviving, or to his heirs and successors. Though by a former law of Constantine,[8] the donations both of the man and woman were exactly upon the same foot, and both to be restored in case of death without any distinction.

Sect. 4. These donations to be entered into public acts, and set upon record.

To make these donations more firm and sure, it was required that they should be entered into public acts, and set upon record, as well to ascertain them against the accidents of death, as against the falseness and perfidiousness of either party. This is expressly provided in one of the laws of Constantine,[9] That no donation between man and woman in the business of espousals should be of any force, unless it was testified by a public act. But this afterward received some limitations. For Constantine himself, by another law,[10] made an exception in the case of minors, That if any espousal gifts were given to women that contracted and married under age, they should not be revoked upon pretence that they were not entered into public acts. And this was confirmed by another law of Theodosius junior,[11] referring to it; who also added another exception, That if the donation did not exceed the sum of two hundred shillings, there

bus reddiderit, si ad consensum accipiendarum arrarum ab his se ostenderit fuisse compulsam.

[6] Chap. 2. sect. 7.

[7] Cod. Theod. lib. 3. Tit. 5. de Sponsalibus, Leg. 5. Si sponsa sponsaliorum titulo (quod raro accidit) fuerit aliquid sponso largita, et ante nuptias hunc vel illam mori contigerit, omni donatione infirmata, ad donatricem sponsam, sive ejus successores donatarum rerum dominium transferatur.

[8] Ibid. Leg. 2.

[9] Cod. Theod. lib. 3. Tit. 5. de Sponsalibus, Leg. 1. Inter sponsos quoque ac sponsas, omnesque personas, eam solam donationem, ex promulgatæ legis tempore, valere sancimus, quam testificatio actorum secuta est.

[10] Ibid. Leg. 3. Si futuris conjugibus, tempore nuptiarum intra ætatem constitutis, res fuerint donatæ et traditæ; non ideo posse eas revocari, quia actis consignare donationem quondam maritus noluit.

[11] Ibid. Leg. 8. Illa manente lege, quæ minoribus ætate fœminis, etiam actorum testificatione omissa, si patris auxilio destitutæ sint, juste consulit, &c.——Item, in illa donatione, quæ in omnibus intra ducentorum solidorum est quantitatem, nec actorum confectio quærenda est.

should be no necessity to have it recorded to make it firm. Justinian[12] extended this exception further to the sum of three hundred shillings, and at last to five hundred,[13] to be ascertained to the woman, if given to her upon espousal, without any further insinuation, as the law terms it, or entering into public acts and monuments, to make it secure in law from all reclaiming.

Sect. 5. The contract further testified by giving and receiving of a ring.

Together with these espousal gifts, or as a part of them, it was usual for the man to give the woman a ring, as a further token and testimony of the contract. This was an innocent ceremony used by the Romans before the times of Christianity,[14] and in some measure admitted by the Jews; whence it was adopted among the Christian rites of espousal without any opposition or contradiction: I say, the rites of espousal; for that it was used in the solemnity of marriage itself originally, does not so evidently appear; though some, who confound the rites of espousal with those of marriage, bring the evidences of the former as proofs of the latter custom. That the ring was used in espousals, and not in the solemnity of marriage itself, in the time of Pope Nicholas, anno 860, seems pretty evident, from the distinct account which he gives of the ceremonies used in the Roman church, first in espousals, and then in the solemnity of marriage, which he plainly speaks of as distinct things. With us,[15] says he, after the espousals, which are a promise of future marriage, the marriage covenants are celebrated, with the consent of those who have contracted, and of those in whose power they are. Then he describes distinctly the ceremonies peculiar to each. In the espousals the man first presents the woman, whom he betroths, with the *arrœ* or espousal gifts; and among these he puts a ring upon her finger; then he delivers the dowry, agreed upon by both parties, in writing before witnesses, invited on both sides to attest the agreement. Thus far the espousals. After this, either presently, or in some convenient time following, that nothing might be done before the time appointed by law, they are both brought to the nuptial solemnity. Where, first of all, they are placed in the church, to offer their oblations by the hands of the priest; and then they receive the benediction and the celestial veil; and after this, going out of the church, they wear crowns or garlands upon their heads, which are kept in the church for that purpose. Here we have the ceremonies of espousals and the ceremonies of marriage distinctly described; and among the ceremonies of espousals we find the ring, but not mentioned again in the ceremonies of marriage; which makes it probable that it was then only a ceremony of the former, and not of the latter. And thus it was used among the ancient Christians in their espousals, as an *arrœ*, or earnest, of their future marriage, but not in the solemnity of marriage itself, as far as we can learn from any accounts that are given of it. St. Ambrose speaks of it, but only amongst the rites of espousal, and not of marriage. For, describing the behaviour of St. Agnes the virgin, when the governor of Rome, courting her, offered her the espousal gifts, he brings her in[16] thus replying, Depart from me, thou solicitor to sin; for I am already prevented by another lover, who has bestowed upon me much better ornaments, and betrothed me with the ring of his faith, being far more noble both in birth and dignity; meaning Christ, to whom she was espoused spiritually by the profession of virginity. And before him Tertullian[17] speaks of the *annulus pronubus*, or ring of espousals before marriage; inveighing against the heathens for having degenerated from the institutions of their ancestors, which taught women modesty and sobriety, when they knew no other use of gold but upon one of their fingers, which their spouse adorned with the ring of espousals. He does not expressly say that the ring was used by Christians, but he speaks of it as a laudable ceremony, that might be used by any, and was actually used by the heathens in their espousals. And in another place[18] he says, It was

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[12] Cod. Justin. lib. 8. Tit. 54. de Donationibus, Leg. 34. Sancimus omnem donationem ante nuptias factam, usque ad trecentos solidos cumulatam, non indigere monumentis, &c.

[13] Ibid. Leg. 36.

[14] Vid. Selden. Uxor. Hebr. lib. 2. cap. 14 et 25. p. 253.

[15] Nicol. Respons. ad Consulta Bulgarorum. Conc. t. 8. p. 517. et ap. Gratian. Caus. 30. Quæst. 5. cap. 3. Apud nostrates post sponsalia, quæ futurarum nuptiarum sunt promissio, fœdera quæque consensu eorum qui hæc contrahunt, et eorum in quorum potestate sunt, celebrantur. Postquam arris sponsam sibi sponsus per digitum fidei annulo insignitum desponderit; dotemque utrique placitam sponsus, ejus scripto pactum hoc continente, coram invitatis ab utraque parte tradiderit; aut mox, aut apto tempore (ne videlicet ante tempus lege definitum tale quid facere præsumant) ambo ad nuptialia fœdera perducuntur. Et primum in ecclesiam Domini cum oblationibus, quas offerre debent Deo per sacerdotis manum, statuuntur: sicque demum benedictionem et velamen celeste suscipiunt.——Post hæc autem de ecclesia egressi coronas in capitibus gestant, quæ semper in ecclesia ipsa sunt solitæ reservari.

[16] Ambros. Ep. 34. Discede a me fomes peccati——quia jam ab alio amatore præventa sum, qui mihi satis meliora obtulit ornamenta, et annulo fidei suæ subarravit me, longe te nobilior et genere et dignitate.

[17] Tertul. Apol. cap. 6. Circa fœminas quidem etiam illa majorum instituta ceciderunt, quæ modestiæ, quæ sobrietati patrocinabantur; cum aurum nulla norat præter unico digito, quem sponsus oppignerasset annulo pronubo.

[18] Ibid. de Idololatr. cap. 16. Circa officia privatarum et communium solemnitatum, ut togæ puræ, ut sponsalium, ut nuptiarum, ut nominalium, nullum putem periculum observari de flatu idololatriæ quæ intervenit. Causæ enim sunt considerandæ, quibus præstatur officium. Eas mundas esse opinor per semetipsas: quia neque vestitus virilis,

innocently used in their espousals; and therefore a Christian might lawfully be present either at the espousals or the marriages of the heathens, as at any other private and common solemnity, of giving a youth the *toga virilis*, the habit of a man, or giving a slave a new name at his manumission; for all these things were pure and clean of their own nature; and neither the ring in espousals, nor the joining of a man and woman in marriage, descended originally from any honour of an idol. Clemens Alexandrinus is cited by Mr. Selden himself,[19] as an evidence of the antiquity of the use of the ring in espousals among Christians. He says the ring is given her, not as an ornament, but as a seal, to signify the woman's duty in preserving the goods of her husband, because the care of the house belongs to her.

Sect. 6. And by a solemn kiss, and joining of hands.

Another ceremony used in espousals sometimes, was the solemn kiss, which the man gave to the woman in confirmation of the contract. This was a known rite used among Christians in their sacred and religious offices, to testify their cordial love, and union, and friendship one with another, of which I have spoken in another place.[20] Therefore Constantine, in one of his laws,[21] made it a ceremony of espousals, being as proper for this act as any other. And he laid some stress upon it. For if a man betrothed a woman by the intervention of the kiss, then if either party died before marriage the heirs of the deceased party were entitled to half the donations, and the survivor to the other half; but if the contract was made without the intervention of the solemn kiss, then upon the death of either party before marriage the whole of the espousal gifts was to be restored to the donor, or his heirs at law. And this was made a standing law by Justinian,[22] who inserted it into his Code. This ceremony was an ancient rite used by the heathens, together with joining of hands, in their espousals: as we learn from Tertullian, who says,[23] Virgins came veiled to the men, when they made their espousals by a kiss and joining of their right hands together; which was the first resignation of their virgin bashfulness, when they joined both in body and spirit with a man. Now, these ceremonies, being innocent in themselves, seem to have been adopted by Christians, with other such customs, into their espousals, who never scrupled any innocent rites because they had been used by heathens, except such as naturally tended to defile them with some unavoidable stain of idolatry and superstition.

Sect. 7. And by settling of a dowry in writing.

Another part of the espousals was, the husband's settling a dowry upon the woman, to which she should be entitled after his death. There are several laws in both the Codes relating to this matter,[24] and containing abundance of law cases, which are not proper to be inserted in this discourse. I only observe two things: first, That the stipulation or promise of a dowry was so usual, that one of the councils of Arles, mentioned by Gratian,[25] has a canon that orders, That no marriage should be made without a dowry, but that there should be something more or less promised according to men's ability. Secondly, This stipulation was commonly made in writing or public instruments under hand and seal: whence the civil law so often speaks of the *instrumenta dotalia*, the instruments of dowry, that were ordinarily required in marriage contracts. And in allusion to these, Asterius Amasenus,[26] dissuading men from divorce, asks them, How they would rescind and cancel their covenants of marriage? What covenants do you think I mean? Those wherein the dowry is written, signed with your own hand, and sealed with your own seal? These are strong and firm enough, indeed: but I carry my meaning a little higher, to the words of Adam: "This is flesh of my flesh, and bone of my bone: she shall be called woman." This is a plain allusion to the then known custom of making instruments of dowry before marriage, and confirming them with their hand and seal, to give them legal strength and obligation.

Sect. 8. And by transacting the whole affair before a competent number of witnesses.

To make the whole business of espousals not only the more solemn, but also the more firm and sure, it was usual to transact the whole affair publicly before a competent number of chosen witnesses, that is, in the presence of the friends of each

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neque annulus, aut conjunctio maritalis de alicujus idoli honore descendit.

[19] Selden. Uxor. Hebr. lib. 2. cap. 25. p. 252. Clem. Pædagog. lib. 3. cap. 11. p. 287.

[20] Book XV. chap. 3. sect. 3.

[21] Cod. Theod. lib. 3. Tit. 5. de Sponsalibus, Leg. 5. Si ab sponso rebus sponsæ donatis, interveniente osculo, ante nuptias hunc vel illam mori contigerit, dimidiam partem rerum donatarum ad superstitem pertinere præcipimus, dimidiam ad defuncti vel defunctæ hæredes.——Osculo vero non interveniente, sive sponsus sive sponsa obierit, totam infirmari donationem, et donatori sponso sive hæredibus ejus restitui.

[22] Cod. Justin. lib. 5. Tit. 3. de Donation. ante Nuptias, Leg. 16.

[23] Tertul. de Veland. Virgin. cap. 11. Apud ethnicos velatæ ad virum ducuntur: ad desponsationem velantur, quia et corpore et spiritu masculo mixtæ sunt, per osculum et dexteras, per quæ primum resignarunt pudorem, &c.

[24] Cod. Theod. lib. 3. Tit. 13. de Dotibus, lib. 2. Tit. 21. de Inofficiosis Dotibus. Cod. Justin. lib. 5. Tit. 11, 12, 13, 14, 15.

[25] Conc. Arelat. can. 6. ap. Gratian. Caus. 30. qu. 5. cap. 6. Nullum sine dote fiat conjugium: juxta possibilitatem fiat dos.

[26] Aster. Hom. in Mat. xix. 3. ap. Combefis. Auctarium Novum, p. 82.

party, to avoid chiefly clandestine contracts. I know not whether the law specified any certain number, otherwise than calling it *frequentia et fides amicorum*,[27] the presence and testimony of friends: but custom seems to have determined it to the number of ten; as appears from a noted passage in St. Ambrose,[28] where, speaking to a virgin that had fallen from her virgin state, he thus argues with her: If any woman, who before ten witnesses has made espousals, and is joined in marriage with a mortal man, cannot, without great danger, commit adultery; how do you think will it be, when a spiritual marriage, that is made before innumerable witnesses of the church, and before the angels, the heavenly host, is broken by adultery? This gives us evidently to understand, that then the common practice was to celebrate both espousals and marriage at least before ten witnesses to attest them.

Sect. 9. How far the obligation of espousals extended.

Now, when the contract of future marriage was thus settled by espousals, it was not lawful for either party to join in marriage with any other, under very severe penalties, (which both the civil and ecclesiastical law inflicted,) unless the time of marriage was fraudulently protracted beyond two years, which was the time limited for the duration of espousals. Augustus Cæsar, by those famous laws, called the Julian and Papian laws, had so restrained the time of espousals, as that if a man did not consummate the marriage within two years, he could reap no benefit from his espousals. But whereas soldiers, who were absent upon public affairs, might seem to require a longer time, Constantine, by one of his laws, limited them to two years also. So that if a woman, who was espoused to a soldier, had waited two years, and the marriage was not completed,[29] she was then at liberty to marry to any other, because then it was not her fault, but the man's, who protracted the marriage beyond the time which the law appointed. But if a father, or a mother, or a tutor, or a guardian, or any other relation, who had betrothed a virgin to a soldier, should afterward, before the two years were expired, give her in marriage to any other, he should be liable to be banished, as guilty of a perfidious breach of contract. By another law[30] he also appointed, That if a man who had espoused a woman should afterward refuse to marry her upon any frivolous pretence that he did not like her morals, or her pedigree, or started any other such trifling objection, the woman might retain whatever gifts he had made her upon espousal, and recover of him whatever more he had promised her upon the same score, though it was yet actually remaining in his own possession. And on the other hand, If the woman who was espoused at full age, that is, when she was twelve years old, refused to make good her contract, or her parents or guardians would not permit her to do it; or if a widow, who was of age to make her own espousal contract, afterward fled from it; then they were not only to forfeit all their espousal gifts, but also to be amerced quadruple for their falseness and breach of contract. As appears from several laws[31] of Theodosius and Honorius, which intimate also, that this was the old Julian and Papian law of the Roman empire from the time of Augustus. And though Leo and Anthemius a little moderated this penalty, yet they did not quite take it away, but only reduced it from quadruple to double, and so Justinian[32] left it as the standing law of the empire in his Code. The ecclesiastical law was no less severe against all such perfidiousness in espousal contracts. For the council of Eliberis orders,[33] That if any parents broke the faith of espousals, they should for their crime be kept back three years from the communion. And if either the man or the woman who were espoused were guilty of the same crime, they should undergo the same punishment. It was further appointed by the council of Ancyra,[34] That if any one stole a woman that was espoused to another, she should be taken from him, and restored to the former who had before espoused her, although the raptor had committed a rape and done violence to her. And the council of Trullo[35] determines it to be downright adultery for a man to marry a woman that was betrothed to another, during the life of him who had espoused her. Siricius[36] says, It was a sacrilegious act for a man

[27] Cod. Theod. lib. 3. Tit. 7. de Nuptiis, Leg. 1 et 3.

[28] Ambros. ad Virginem Lapsam, cap. 6. Si inter decem testes confectis sponsaliis, nuptiis consummatis, quævis viro fœmina conjuncta mortali, non sine magno periculo perpetrat adulterium: quid putas fore, si inter innumerabiles testes ecclesiæ, coram angelis, exercitibus cœli, facta copula spiritalis per adulterium solvitur?

[29] Cod. Theod. lib. 3. Tit. 5. de Sponsalibus, Leg. 4. Patri aut matri puellæ, aut tutori, vel curatori, aut cuilibet ejus affini non liceat, cum prius militi puellam desponderit, eandem alii in matrimonium tradere. Quod si intra biennium, ut perfidiæ reus in insulam relegetur. Quod si pactis nuptiis transcurso biennio, qui puellam desponderit, alteri eandem sociaverit, in culpam sponsi potius quam puellæ referatur, nec quicquam noceat ei, qui post biennium puellam marito alteri tradiderit. Vid. Cod. Justin. lib. 5. Tit. 5. de Sponsalibus, Leg. 2.

[30] Cod. Theod. lib. 3. Tit. 5. de Sponsalibus, Leg. 2. Siquidem sponte vir sortiri noluerit uxorem, id quod ab eo donatum fuerat, nec repetatur traditum, et siquid apud donatorem resedit, ad sponsam submotis ambagibus transferatur, &c.

[31] Ibid. Leg. 6 et 7. It. Tit. 6. Leg. 1. et Tit. 10. Leg. 1.

[32] Cod. Just. lib. 5. Tit. 1. de Sponsalibus, Leg. 5.

[33] Conc. Eliber. can. 54. Si qui parentes fidem fregerint sponsaliorum, triennii tempore abstineant se a communione. Si sponsus vel sponsa in illo gravi crimine fuerint deprehensi——Superior sententia servetur.

[34] Conc. Ancyr. can. 11.

[35] Conc. Trull. can. 98.

[36] Siric. Ep. 1. ad Himerium, cap. 4. De conjugali autem violatione requisisti, si desponsatam alii puellam alter in matrimonium possit accipere. Hoc ne fiat omni-

to marry a woman that was before espoused to another; because it was a violating the benediction which the priest had given to the woman espoused in order to her future marriage. By which we are given further to understand, that a ministerial benediction was sometimes used in espousals, as well as marriage, though they were then separate acts from one another. But the obligation of espousals is not to be extended further than the law required, which in several cases admitted of just limitations and exceptions; as in case a parent disposed of a child in espousals before she was ten years old, or at any other age against her own free choice and consent; or in case a judge of a province made espousals with a provincial woman during the year of his administration; or any other man protracted the time of marriage beyond the two years which was limited by law for the duration of espousals. In all these cases, espousals became void, and it was no crime not to fulfil them, because the laws themselves only made them obligatory with such provisions and restrictions.

Sect. 10. Whether they were simply and absolutely necessary to precede a just and legal marriage?

There remains one question more to be resolved concerning espousals, that is, whether in whole or in part the ceremony of espousals was simply and absolutely necessary to go before a marriage, to make it just and legal? These are two very different questions, whether it be necessary to observe an espousal contract? and, whether it be necessary to make such a contract at all before marriage, in order to make the marriage legal? And as, in the first question, the law made the obligation precisely necessary, except in cases otherwise by law determined; so, in the second question, it laid no general obligation upon men at all to make formal espousals before marriage, but only upon some certain orders of men, for the dignity and conveniency of their order. This appears plainly from a law of Theodosius junior, wherein he allows the legality of marriage without any of the ceremonies of espousal preceding. If the instruments of donation or the instruments[37] of dowry be wanting, or the nuptial pomp or other celebrities of marriage, let no one reckon upon that account, that the marriage is not good, which is otherwise rightly made; or that the children born in such a marriage are not to be esteemed legitimate; if the marriage be celebrated between persons of equal rank, without any legal impediment, with the consent of both parties, and the testimony and approbation of friends. Here, as Gothofred observes, four things are precisely required to a legal marriage. 1. Equality of condition: a person of liberal fortune was not to marry a slave, or one of vile and infamous character. 2. No legal impediment must prohibit their uniting: a Christian must not marry an infidel or Jew, nor one of his near kindred, nor a provincial judge a woman of his own province in the time of his administration; because these were things prohibited by the law. 3. There must be free consent of both parties, without which no marriage was valid or firm. 4. There must be consent of parents and a sufficient number of friends to attest the fact and prevent clandestine marriage. These things being observed, there was no necessity of a preceding espousal, or any of the ceremonies and formalities of it, to make the marriage good in law; all necessaries being thus provided in the act of marriage itself, as it is now with us this day, among whom the formality of espousals is in great measure laid aside. And thus the matter continued from the time of Theodosius to Justinian, who thought it reasonable to make a little exception to the former law; for in one of his Novels (made after his Code, which has the former law of Theodosius in the same terms) he afterward made a distinction[38] betwixt the nobles and those of inferior order. The greater dignities, and senators, and men in high stations, were not to marry without first settling the dowry and antenuptial donation, and all other ceremonies which became great names. But the better sort of military men, and tradesmen, and men of honourable profession, might, if they pleased, marry without instruments of donation and dowry; yet not altogether without stipulation of dowry and evidence of their marriage. For they were to go to a church, and there before the defensor of the church make public profession of their marriage; and he, taking three or four of the most reverend of the clergy of the church, shall draw a public attestation, showing, That in such an indiction, and in such a month, on such a day of the month, in such a year of our reign, when such a one was consul, such a man

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bus modis inhibemus: quia illa benedictio, quam nupturæ sacerdos imponit, apud fideles cujusdam sacrilegii instar est, si ulla transgressione violetur.

[37] Cod. Theod. lib. 3. Tit. 7. de Nuptiis, Leg. 3. Si donationum ante nuptias, vel dotis instrumenta defuerint, pompa etiam aliaque nuptiarum celebritas omittatur, nullus æstimet ob id deesse recte alias inito matrimonio firmitatem; vel ex eo natis liberis jura posse legitimorum auferri; si inter pares honestate personas, nulla lege impediente fiat consortium, quod ipsorum consensu atque amicorum fide firmatur.

[38] Justin. Novel. 74. cap. 4. In majoribus dignitatibus et quæcunque usque ad nos, et senatores, et magnificentissimos illustres, neque fieri hæc omnino patimur: sed sit omnino et dos et antenuptialis donatio, et omnia quæ honestiora decent nomina. Quantum viro in militiis honestioribus, et negociis, et omnibus professionibus dignioribus est, si voluerint legitime uxori copulari, et non facere nuptialia documenta: non sic quomodocunque, et sine cautione effuse, et sine probatione hoc agant: sed veniant ad quandam orationis domum, et fateantur sanctissimæ illius ecclesiæ defensori. Ille autem adhibens tres aut quatuor exinde reverendissimorum clericorum, attestationem conficiat, &c.

and such a woman came before him in that church, and were joined together in matrimony. And if both of them, or either of them, are minded to carry away with them a copy of such attestation, the defensor of the church and the other three shall make one for them and subscribe it. And however that be, the defensor shall lay up the original attestation in the archives of the church, that it may be a muniment to all; and they shall not be reputed to have come together with nuptial affection, unless this be done, and the matter be so witnessed with letters testimonial. When this is so done, both the marriage and the offspring shall be reputed legitimate. This is the order to be observed, where there is no instrument of dowry or of antenuptial donation; for the testimony of bare witnesses without writing is suspicious. This was the order for persons of a middle rank and condition, to avoid clandestine marriages. Then the law goes on for persons of the lowest rank and poorer condition, that is, husbandmen and common soldiers, who were occupied in tilling the land and war, and were supposed to be ignorant of civil causes or the law; their marriage is declared legitimate, though they came together only before witnesses, without any instrument in writing at all. Yea, if such a one took a woman for his wife upon oath,[39] touching the holy Gospels, whether in the church or out of the church, the marriage was legitimate, if the woman could make legal proof that she was so married to him; and she might claim a fourth part of his substance, though she had no instrument of dowry to show for it. I have transcribed this long passage of Justinian, both because it shows in general the different ways of marrying that were then allowed by the civil law, and also in particular, that there was no absolute necessity of the preceding formality of antenuptial instruments of dowry or donation to make a marriage firm and valid in all cases. And by this we may fairly understand and interpret that difficult canon of the first council of Toledo,[40] which orders, That a man who has not a wife, but only a concubine instead of a wife, shall not be rejected from the communion, provided he be content to be joined to one woman only, whether concubine or wife, as he pleases. For before the matter was fully settled by these laws of Theodosius and Justinian, a woman that was married to a man without the antenuptial instruments of dowry and donation, and other formalities of the law, was not called a wife, but only a concubine, in the language of the law: but in the ecclesiastical sense she was reputed a true wife, because she bound herself by marriage contract to be just and true to one man, though they joined together without the preceding formalities of antenuptial espousal, which the law then required: and therefore the fathers at Toledo made no distinction between a wife and a concubine, as to what concerned the discipline of the church; provided the woman, whom the law called a concubine, was in reality a wife by marriage contract; though she wanted the formality of espousal, which was then required in the civil law, but afterwards relaxed in some cases by the edicts of Theodosius and Justinian, as I have here showed, after the time of the council of Toledo. And thus much for the laws and rules concerning espousals before marriage: I now come to the rites and ceremonies of marriage itself.

CHAPTER IV.

OF THE MANNER OF CELEBRATING MARRIAGE IN THE ANCIENT CHURCH.

Sect. 1. The solemnities of marriage between Christians usually celebrated by the ministers of the church from the beginning.

HERE the first questions will be, By whom the ceremonies and solemnities of marriage were anciently performed? And whether the benediction of a minister was necessary, as in after ages, to make a marriage firm and good according to the laws of church and state? To answer these questions aright, we must premise some necessary distinctions: 1. Between marriages made among Christians one with another, and marriages made between Christians and infidels, Jews, heathens, and heretics. 2. Between marriages made according to the tenor and direction of the laws, and marriages made against them. 3. Between disapproving of the undue manner of a marriage, and declaring it absolutely no marriage, or utterly null and void. Now, if the question be first concerning Christians marrying one with another, by whom the solemnity of marriage was performed? by a minister of the church, or by any other? I answer, that it is most probable, that in fact, for the first three hundred years, the solemnities of marriage were usually performed by the ministers of the church. But, secondly, if Christians happened to marry with Jews, or heathens, or heretics, (as they sometimes did,) then, as the church did altogether discourage such marriages, so it is probable that the ministers of the church never had any hand or concern in solemnizing them. But, thirdly, whilst the Roman laws allowed such marriages, it was not in the power of the church to reverse or annul them, but only to punish the delinquents by her censures. Only in

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[39] Justin. Novel. 74. cap. 5. et Novel. 117. cap. 4.

[40] Conc. Tolet. 1. can. 17. Is qui non habet uxorem, et pro uxore concubinam habeat, a communione non repellatur, tantum ut unius mulieris, aut uxoris, aut concubinæ, ut ei placuerit, sit conjunctione contentus.

such cases as the laws prohibited, as all incestuous marriages, and children's marrying against the consent of their parents, which the Roman laws not only prohibited, but many times annulled; I say, in such cases the church could go a little further, being warranted by the laws of the state, as well as the laws of God, to declare such marriages void. 4. Though the church disapproved of any undue manner of marriage that the state forbade, as marrying without espousals and instruments of dowry, whilst the civil law was against it; yet she did not proceed so far, as to declare such marriages absolutely no marriages, or utterly null and void. Concerning the three last points, there are no disputes worth mentioning among learned men. But concerning the first point, a great dispute is raised by Mr. Selden: for he will by no means allow,[1] that it was the general practice among Christians, when they made marriages one with another, to have the marriage solemnized by a minister of the church. He owns it was sometimes so done, by the choice of the contracting parties, or their parents inclining to it; but he asserts, they were under no obligation of law so to do, nor did any general custom prevail to give it so much as the title of a general practice. But Mr. Selden in this is contradicted by eminent men of his own profession. He himself owns that Dionysius Gothofred[2] and Hotoman are against him in point of law; and Jacobus Gothofred, the famous commentator upon the Theodosian Code, is against him in point of practice. The former Gothofred[3] and Hotoman[4] are of opinion, that the words *vota nuptiarum* in one of Justinian's laws, means the celebration of marriage by the clergy: the other Gothofred thinks the passage hardly express enough to be a full proof of the matter; but then he is clear against Mr. Selden in point of practice. For he says the ancient church in general, and the African church in particular, were ever wont to celebrate marriages by the solemn benediction of the clergy. And he gives very good proofs[5] of his assertion. His first evidences are from Tertullian, who, in one place,[6] has these remarkable words: How can I sufficiently set forth the happiness of that marriage which the church makes or conciliates, and the oblation confirms, and the benediction seals, and the angels report, and the Father ratifies! In which words, Gothofred[7] says, the church is said to conciliate the marriage, because in those times men commonly asked wives of the ecclesiastics, and consulted them about their marriage, and the profession of marriage was made before them, and finally the ecclesiastics gave wives by their benediction. He adds, That Tertullian in this place alludes to the five rites of the Gentiles used in their marriages: 1. The *proxenetæ*, or conciliators of marriage. 2. The offering of the kiss and espousal donations. 3. The obsignation of the instruments. 4. The testimony and presence of witnesses and friends. 5. And lastly, The consent of parents in the marriage of their children. To which Tertullian opposes as many things intervening in a Christian marriage, viz. 1. The conciliation of the church or the ecclesiastics. 2. The oblation of prayers (I add, perhaps also the oblation of the eucharist, which commonly went together). 3. The obligation made by the benediction of the ecclesiastics. 4. The renunciation, faith, and testimony of the angels. And, 5. The ratihabition or confirmation of our Father who is in heaven. A second passage alleged by Gothofred out of Tertullian is where he speaks of clandestine marriages, saying,[8] Among us secret marriages, that is, such as are not publicly professed before the church, are in danger of being condemned as fornication and adultery. And in another place, speaking of second marriages, and dissuading all persons from them, he says,[9] How canst thou ask such a marriage of those, who cannot themselves have what thou askest of them? For the bishop, the presbyters, and the deacons, and the widows of the church, whose society thou rejectest, are all monogamists, or but once married. Yet they will give husbands and wives as they do morsels, that

[1] Selden. Uxor. Hæbr. lib. 2. cap. 29. p. 305.

[2] Ibid. p. 306.

[3] Dionys. Gothofred. Not. in Cod. Justin. lib. 5. Tit. 4. de Nuptiis, Leg. 24.

[4] Hotoman. Quæst. Illustr. qu. 25.

[5] Gothofred. in Cod. Th. lib. 3. Tit. 7. de Nuptiis, Leg. 3.

[6] Tertul. ad Uxor. lib. 2. cap. 9. Unde sufficiam ad enarrandam tantam felicitatem matrimonii, quod ecclesia conciliat, et confirmat oblatio, et obsignat benedictio, angeli renunciant, Pater ratum habet.

[7] Gothofred. ibid. Quo quidem loco ecclesia matrimonium conciliare dicitur, quia ab ecclesiasticis ferme conjuges postulabantur, superque matrimonio hi consulebantur, apud hos matrimonii professio fiebat: benedictione denique ecclesiastici conjuges dabant: et in summam illo loco Tertullianus alludit ad quinque ritus Gentilitios, qui in nuptiis interveniebant: conciliatores scilicet seu proxenetas nuptiarum; oblationem osculi et arrarum; obsignationem tabularum; amicorum testiumque fidem et præsentiam; parentis denique consensum, si de liberorum nuptiis ageretur: quibus Tertullianus totidem quæ in matrimonio Christiano interveniebant, opponit: conciliationem ecclesiæ seu ecclesiasticorum; oblationem precum: obsignationem quæ fit benedictione ecclesiasticorum; renuntiationem, fidem, testimonium angelorum; ratihabitionem Patris nostri cœlestis.

[8] Tertul. de Pudicitia, cap. 4. Ideo penes nos occultæ quoque conjunctiones, id est, non prius apud ecclesiam professæ, juxta mœchiam et fornicationem judicari periclitantur, &c.

[9] Id. de Monogamia, cap. 11. Qualis es id matrimonium postulans, quod eis, a quibus postulas, non licet habere? Ab episcopo monogamo, a presbyteris et diaconis ejusdem sacramenti, a viduis quarum sectam in te recusasti: et illi plane sic dabunt viros et uxores quomodo buccellas; hoc enim est apud illos, omni petenti te dabis, et conjungent vos in ecclesia virgine, unius Christi unica sponsa.

is, to every one that asks, and join you together in the virgin church, the only spouse of one Christ. Mr. Selden excepts against this passage, as making the widows have the same concern in the marriage as the ministers: but that is a plain mistake; for the widows might be concerned in giving their consent and approbation, which Tertullian calls the conciliation of marriage; but the ministers were concerned further in giving the benediction also. This benediction is spoken of likewise by St. Ambrose, as the custom of the Italic churches in his time: For, says he,[10] when marriage ought to be sanctified by the sacerdotal veil and benediction, how can that be called a marriage, where there is no agreement in the faith? Gothofred thinks also that the same custom may be deduced out of those words of Ignatius,[11] It becomes both men and women when they marry, to make the union *μετὰ γνώμης τοῦ ἐπισκόπου*, with the will and direction of the bishop, that the marriage may be according to the Lord, and not merely according to the instigation of their own lusts. And further, from what Gregory Nazianzen says[12] of the marriage of Olympias, That a great number of bishops were present at the solemnity, and that he himself was present in heart and will, celebrating the festival, and joining the right hands of the young couple together, and both of them to the hand of God. Where joining of them to the hand of God is plainly but another expression for the benediction. This is further evident[13] from the fourth council of Carthage, which orders, That both the man and the woman that are to be blessed by the priest, should be presented by their parents, or by their *paranymphi*, bridemen, who stood in the stead of their parents. Thus far the evidences produced by Gothofred. To which we may add that of St. Austin, who lived at the time of the council of Carthage, where he tells us, It was in the bishop's power absolutely to give[14] women in marriage, but they could not give them to men that were heathens. The benediction is not here expressly mentioned, but considering the whole affair was in the bishop's power, the benediction may easily be inferred from it. And Possidius, in his Life, makes express mention of it; for he says, It was St. Austin's opinion, which he learned from the Institutes of St. Ambrose, That a priest indeed ought not to be a solicitor of marriage, in making matches between men and women; but when they themselves[15] had agreed upon the matter, then at their joint request he ought to be present, either to confirm their agreement, or give it the benediction. In like manner St. Chrysostom; inveighing against the lascivious and diabolical pomps which some used at their marriages, he says,[16] they ought rather to teach the virgin modesty in the entrance upon marriage, and to call for the priest, and by prayer and benediction tie the knot of unity in marriage; that the husband's love might increase, and the wife's chastity might be improved; that the works of virtue might enter into the house by all that was then done, and the wiles and works of the devil be cast out. This is a plain account of what that father desired, and what was practised by the better sort of Christians in such solemnities. Siricius, bishop of Rome, lived about the same time with St. Chrysostom and St. Austin, and he particularly mentions the benediction of the priest as used in marriage, giving it as a reason,[17] why a woman that is espoused to a man ought not to be married to any other, because, among Christians, it was reckoned a sort of sacrilege to violate the benediction which was given by the priest to a woman upon her espousal. And after him Pope Hormisdas, who lived about the year 520, a little before the time of Justinian, made a decree,[18] That no one should make a clandestine marriage, but, receiving the benediction of the priest, should marry publicly in the Lord. These evidences are abundantly sufficient to show what was the general practice of Christians in this matter from the very first ages.

Sect. 2. In what cases it might happen to be otherwise.

And as to any exceptions that may be alleged against such a universal practice, they are of little moment. Some marriages indeed, notwithstanding all the care and advice of the church, were made between Christians and heathens: and in that case, the

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[10] Ambros. Ep. 70. Cum ipsum conjugium velamine sacerdotali et benedictione sanctificari oporteat, quomodo potest conjugium dici ubi non est fidei concordia?

[11] Ignat. Ep. ad Polycarp. [12] Naz. Ep. 57.

[13] Conc. Carth. 4. can. 13. Sponsus et sponsa, cum benedicendi sunt a sacerdote, a parentibus suis vel paranymphis offerantur, &c.

[14] Aug. Ep. 234. ad Rusticum. Etiamsi nostræ absolutæ sit potestatis quamlibet puellam in conjugium tradere, tradi a nobis Christianam nisi Christiano non posse.

[15] Possid. Vit. Aug. cap. 27. Sed plane ad hoc sibi jam illis consentientibus, petitum interesse debere affirmabat sacerdotem, ut vel eorum jam pacta et placita firmarentur, vel benedicerentur.

[16] Chrys. Hom. 48. in Gen. t. 2. p. 681. *Δέον—— ἱερέας καλεῖν, καὶ δι' εὐχῶν εὐλογιῶν τὴν ὁμόνοιαν τοῦ συνοικεσίου συσφίγγειν, κ.τ.λ.* Agreeably to this St. Basil calls marriage, the bond or yoke that men take upon them by benediction, Ὁ *διὰ τῆς εὐλογίας ζυγὸς*. Basil. Hom. 7. in Hexamer. t. 1. p. 81.

[17] Siric. Ep. 1. ad Himerium, cap. 4. Et ap. Gratian. Caus. 27. Quæst. 2. cap. 50. De conjugali violatione requisisti, si desponsatam alii puellam alter in matrimonium possit accipere? Hoc ne fiat omnibus modis inhibemus; quia illa benedictio, quam nupturæ sacerdos imponit, apud fideles cujusdam sacrilegii instar est, si ulla transgressione violetur.

[18] Hormisdæ Decret. cap. 6. Nullus fidelis, cujuscunque conditionis sit, occulte nuptias faciat, sed benedictione accepta a sacerdote publice nubat in Domino.

ministers of the church could have no hand in the marriage, nor give any benediction to it, because it was directly contrary to the rules of the church, that any Christian should marry a heathen. Again, some canons discouraged, though they did not absolutely forbid, second and third marriages after the death of a first wife or husband, and forbid any presbyter to be present at them. The council of Neocæsarea[19] has a canon to this purpose: No presbyter shall be present at the marriage feast of those that marry twice; for a digamist requires penance. How then shall a presbyter by his presence at such feasts give consent to such marriages? And if he might give no consent to them by his presence, much less might he authorize them by his solemn benediction. Peter Martyr[20] and the Gloss upon Gratian[21] understand this canon as forbidding the clergy to have any concern in the marriage of proper polygamists, or such as married a second wife whilst the first was living: which is no more than all the clergy are prohibited at this day; for polygamy may not now be authorized by sacerdotal benediction. But if we take the canon in the common sense of marrying a second wife after the first was dead, and suppose the clergy forbidden to give the benediction to such marriages; yet this was but a canon of a particular council, which never much prevailed. For we are sure in fact, that second marriages had generally sacerdotal benediction, as well as the first; and therefore whatever might happen upon the strength of that canon, could be no great exception to the general practice. But that which gave the greatest liberty to marry without sacerdotal benediction, was the allowance which the laws of the empire granted to other ways of marrying besides that of solemnizing marriage by the benediction of the clergy. For though this had no great effect for the first three hundred years, whilst the laws continued heathen; (for then the generality of Christians were no more disposed to marry without the benediction of the bishop or some of the clergy, than they were inclined to end their civil controversies any other ways than by the bishop's arbitration and decision;) yet afterwards, when the laws became Christian, and no immediate provision was made to oblige men universally to solemnize marriage by the benediction of the clergy, but other ways were still allowed as sufficient to make a marriage good in law without it, men began to fall off from the ancient practice, some for one reason and some for another, till by degrees the primitive way of marrying among Christians came to be much dishonoured and neglected.

Sect. 3. How the primitive practice was revived, when it came to be neglected.

This made some of the more zealous emperors, who about the eighth and ninth centuries were a little inclined to correct and reform some abuses, which the corruption of the times had brought in upon the discipline of the church, to look upon this neglect of marrying without sacerdotal benediction as an abuse among the rest, and a deviation from the more ancient laudable practice. Hereupon they set themselves to revive the primitive custom, and make some more effectual provision than had hitherto been done, by more express and general laws to establish and confirm it. Charles the Great enacted a law in the West about the year 780, wherein he ordered, that no marriage[22] should be celebrated any other ways but by blessing with sacerdotal prayers and oblations; and whatever marriages were performed otherwise, should not be accounted true marriages, but adultery, concubinage, or fornication. And about the year 900,[23] Leo Sapiens, in the Eastern empire, revived the same ancient practice, which ever since continued to be the practice of the church. Mr. Selden[24] and Gothofred[25] both agree in this, that now the necessity of sacerdotal benediction was established by law: but they differ in one point, that Mr. Selden supposes this was the first beginning of the general practice of making marriages by sacerdotal benediction; whereas Gothofred thinks it was only a reviving of a former ancient general practice, which for some ages had been much neglected. And that the truth lies on Gothofred's side, the reader, from what has been said, will be able very easily to determine.

Sect. 4. Other ceremonies used in marriage, as joining of hands and veiling.

Having thus resolved the main question concerning sacerdotal benediction, I now go on with the lesser ceremonies used in marriage. Among which we find the ancient rite of joining the right hands of the espousing parties together. For so we have heard Gregory Nazianzen[26] already representing the marriage of Olympias, that it was done by joining the right hands of the young couple together, and both their hands to the hand of God. St. Ambrose[27] also takes notice of the custom of veiling, as a ceremony used in marriage, when he says, the Christian marriage ought to be sanctified with the sacerdotal veil and benediction. Tertul-

[19] Conc. Neocæsar. can. 7.

[20] Pet. Mart. Loc. Com. lib. 2. cap. 10. p. 277.

[21] Gratian. Caus. 31. Quæst. 1. cap. 8.

[22] Carol. Capitular. lib. 7. cap. 363. Aliter legitimum non fit conjugium—nisi sponsa suo tempore sacerdotaliter cum precibus et oblationibus a sacerdote benedicatur, &c.

[23] Leo, Novel. 89. Περὶ τοῦ τὰ συνοικέσια ἄνευ τῆς ἱερᾶς εὐλογίας μὴ ἐρρῶσθαι.

[24] Selden. Uxor. Hebraica, lib. 2. cap. 29. p. 309.

[25] Gothofr. in Cod. Theod. lib. 3. Tit. 7. de Nuptiis, Leg. 3. p. 281.

[26] Naz. Ep. 57.

[27] Ambros. Ep. 70. Cum ipsum conjugium velamine sacerdotali et benedictione sanctificari oporteat, &c.

lian also mentions[28] the custom of veiling as used by the heathens, which he commends, together with the ceremony of the solemn kiss and joining of hands. But these he speaks of rather as ceremonies used in espousals before marriage: though we may suppose them to be used in both, since the Latin name of marriage, *nuptiæ*, is observed by the Roman antiquaries[29] to have its name from *obnubere*, which signifies to veil or cover.

Sect. 5. Untying the woman's hair.

Optatus seems to allude to another ceremony, which I have not yet found expressly mentioned in any other author; that is, the woman's loosing or untying her hair in the solemnity of marriage. For writing against the Donatists, who had reconsecrated the catholic virgins who before had espoused themselves to Christ, he says, Those virgins, to show that they had renounced all secular marriage, had untied[30] their hair to a spiritual Husband, they had already celebrated a celestial marriage. Why, therefore, did ye compel them to untie the hair again? This seems to allude to some such custom in secular marriage; because he adds, that when women married a second time in the world, this was not used:[31] which implies, that it was used the first time, though omitted in second marriages, as many other ceremonies of temporal festivity were, viz. gay dressing, and crowning, and what naturally followed them, the great concourse and acclamations of the people. But if any one thinks this was not an allusion to any ceremony used in secular marriages, but rather a ceremony actually used in spiritual marriages of virgins to Christ; because St. Jerom[32] speaks of their cutting off their hair in some places, when they renounced the world, and devoted themselves to Christ; I will not stand to contend about a matter both small and obscure, but go on to that which is more certain in secular marriages, which is our present subject.

Sect. 6. Crowning the new-married couple with crowns or garlands.

When the sacred office of benediction was over, and the married persons were ready to depart, it was usual to crown the bridegroom and bride with crowns, or garlands, the symbols of victory. For now it was supposed they had hitherto striven virtuously against all manner of uncleanness, and therefore were crowned as conquerors in their marriage. St. Chrysostom[33] mentions the ceremony, and gives this account of it: Crowns are therefore put upon their heads, as symbols of victory, because, being invincible, they entered the bride-chamber without ever having been subdued by any unlawful pleasure. So that this ceremony was used as a mark of honour and note of distinction, to reward their virtue, and put a difference between them and such as had before addicted themselves to fornication and uncleanness. For to what purpose, says Chrysostom again, should he wear a crown upon his head, who had given himself up to harlots, and been subdued by pleasure? Which seems to imply, that fornicators were denied this honour when they came to marry; that being a part of their punishment, among other acts of discipline in the church. And upon the same account this ceremony was seldom or never used in second and third marriages, because though they were not absolutely condemned as unlawful, yet they were not reckoned so honourable as the first. As to the ceremony in general, Mr. Selden[34] says, it is mentioned by Gregory Nyssen, and Basil of Seleucia, and Palladius. And it is more than once noted by Sidonius Apollinaris, who, speaking of the marriage of Ricimer, and describing the pomp of it, says, Now the virgin was delivered into his hands, now the bridegroom[35] was honoured with his crown. And again, in his panegyric to Anthemius the emperor, speaking of the same marriage of Ricimer, who married the emperor's daughter, he says to Ricimer, in the poetical strain,[36] This marriage was procured by your valour, and the laurel crown gave you the crown of myrtle: alluding to the different customs of crowning warriors with laurel and bridegrooms with myrtle. This was, indeed, an old ceremony used in heathen marriages; as we learn from Tertullian,[37] who reckons it an idolatrous rite as used by them, and therefore says, Christians did not marry with heathens, lest they should draw them to idolatry, from which their marriages took their beginning. But the ceremony was innocent in its own nature, and therefore the Christians never made any scruple to adopt it into the rites of marriage which they made among themselves, because it was

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[28] Tertul. de Veland. Virgin. cap. 11. Atquin etiam apud ethnicos velatæ ad virum ducuntur. Si autem ad desponsationem velantur, quia et corpore et spiritu masculo mixtæ sunt per osculum et dexteras, &c.

[29] Rosin. Antiquit. Rom. lib. 5. cap. 37. p. 959.

[30] Optat. lib. 6. p. 97. Ut sæcularibus nuptiis se renunciasse monstrarent, spiritali sponso solverant crinem, jam cœlestes celebraverant nuptias. Quid est quod eas iterum crines solvere coegistis?

[31] Ibid. Ut crines iterum solverent imperastis. Hoc nec mulieres patiuntur, quæ carnaliter nubunt: ex quibus si alicui maritum mutare contigerit, non repetitur illa temporalis festivitas: non in altum tollitur: non populi frequentia procuratur.

[32] Hieron. Ep. 48. cont. Sabinianum.

[33] Chrys. Hom. 9. in 1 Tim. p. 1567.

[34] Selden. Uxor. Hebr. lib. 2. cap. 24. p. 245. et Sherlogus in Cantic. Vestigat. 27. n. 16.

[35] Sidon. lib. 1. Ep. 5. p. 29. Jam quidem virgo tradita est, jam corona sponsus honoratur.

[36] Id. Carm. 2. ad Anthem. ver. 503. Hos thalamos, Ricimer, virtus tibi pronuba poscit, Atque Dionæam dat Martia laurea myrtum.

[37] Tertul. de Coron. Mil. cap. 13. Coronant et nuptiæ sponsos: et ideo non nubimus ethnicis, ne nos ad idololatriam usque deducant, a qua apud illos nuptiæ incipiunt.

a significant ceremony, declaring the innocency of the parties joined together. For which it is still retained among the Greeks, as we learn from Nicetas, bishop of Heraclea,[38] a modern Greek writer, and Metrophanes Critopulus,[39] and Dr. Smith,[40] in his Account of the Greek Church. It is also spoken of with approbation by Peter Martyr,[41] and other protestant writers, who commend it as a laudable ceremony, for the reason given by St. Chrysostom. And it is still retained among the Helvetians, as Mr. Werndly informs us[42] in his Notes upon the Tigurine Liturgy. But I return to the ancient church.

Sect. 7. Carrying the bride home to the bridegroom's house, how far necessary in some cases of law.

There was one custom more, which is not to be reckoned so much among the religious ceremonies, as to be put into the account of the pomp that attended marriage; and I should not have mentioned it in this place, but that it was required as necessary in some cases of law. That is, the custom of the woman's being carried by the husband home to his own house; whence the phrase *ducere uxorem* is so commonly used on the man's part for marrying a wife; as *nubere* is proper on the woman's part for being married, on account of the veiling used in marriage, as has been noted before. But I mention it not barely upon this account, but because in some cases it was a condition precisely required in law, before a man could lay claim to some privileges belonging to marriage. As appears from one of the laws of the emperor Valens[43] concerning the *tyrones*, or soldiers newly listed into military service. To encourage the speedier recruiting of the army, Valens made a law, that every new soldier, from the time of his listing, or taking the military oath, should be free from the capitation tax; and not only so, but if he served faithfully five years, his wife also should be free from the same tax, provided that, after he had married her, he brought her to his own house, and did not leave her in her former habitation; for if he did so she could not be proved to be his wife, and therefore should be kept with the burden of the tax upon her. Justinian[44] made a law of the same nature for other cases; That if any one made a bargain to give or to do any thing upon marriage, whether he called it the time of marriage, or named it marriage itself, the condition should not be interpreted to be fulfilled, till the festivity of marriage (which comprehended this ceremony of carrying the wife to the house of the husband) was completed. So that it was necessary in these cases for certain ends and purposes, though otherwise the marriage was sufficiently perfected without it. Yet it being an ancient custom, the pomp of the marriage was deemed imperfect till this ceremony was used; as we may gather from that of Sidonius,[45] where he says, The pomp of the marriage was not yet fully completed, because the new bride was not yet removed to the house of her husband.

Sect. 8. How far the marriage pomp was allowed or disallowed by the ancient fathers.

This was an innocent part of marriage pomp, which was often attended with the concourse and acclamations of the people. Neither was it reckoned any harm to have a decent *epithalamium*, or modest nuptial song, or a feast of joy suitable to the occasion. But the *fescennina*, or immodest ribaldry, that was sometimes used under the notion of the marriage pomp, and the scurrility and obscenity of actors and mimics fetched from the stage, together with the excessive revellings and dancings, that some called innocent nuptial mirth and diversion, were looked upon as great abuses, and, accordingly, proscribed and condemned by some canons, and severely inveighed against by the fathers, as things utterly unbecoming the modesty and gravity of Christian marriages. The council of Laodicea says,[46] Christians ought not at marriages *βαλλίζειν ἢ ὀρχεῖσθαι*, to use wanton balls or dancings, but dine or sup gravely, as becomes Christians. Some by the word *βαλλίζειν* understand playing on cymbals and dancing to them. So Suidas[47] and Zonaras[48] interpret it. But the word denotes something more, viz. tossing the hands in a wanton and lascivious manner: and in that sense there might be good reason to forbid it; whereas, bare music and dancing, without any immodest or antic tricks, seems hardly a crime worthy a canon to forbid it. And if we may judge by Chrysostom's sharp invective against this and other extravagancies committed at marriage feasts, there must be something more extraordinary in them. For, speaking[49] of Isaac's marriage with Rebekah, Consider here, says he, how there was no Satanical pomp, no cymbals, and piping, and dancing, no Satanical feasting, no

[38] Nicet. Respons. ap. Leunclavium. Jur. Græc. Rom. t. 1. p. 310.

[39] Critop. Confess. Fidei, cap. 12.

[40] Smith, Account, &c., p. 189.

[41] Pet. Mart. Loc. Com. lib. 2. cap. 10. n. 22.

[42] Werndly, p. 152.

[43] Cod. Theod. lib. 7. Tit. 13. de Tyronibus, Leg. 6. Si quinquennii tempus fide obsequii devotione compleverit, uxoriam quoque capitationem merito laborum præstet immunem: ea scilicet servanda ratione, ut quam sibi uxorem copulaverit affectu, et in priore lare derelictam memorarit, inprobata (leg. inprobatam) census sarcina sustineat.

[44] Cod. Justin. lib. 5. Tit. 4. de Nuptiis, Leg. 24. Sancimus, si quis nuptiarum fecerit mentionem in qualicunque pacto quod ad dandum vel ad faciendum concipitur, et sive nuptiarum tempus dixerit, sive nuptias nominaverit: non aliter conditionem intelligi esse adimplendam, nisi ipsa nuptiarum accedat festivitas, &c.

[45] Sidon. lib. 1. Ep. 5. Nondum tamen cuncta thalamorum pompa defremuit, quia necdum ad mariti domum nova nupta migravit.

[46] Conc. Laodic. can. 53. [47] Suidas, voce Βαλλίζειν.

[48] Zonar. in can. 53. Laodic.

[49] Chrys. Hom. 48. in Genes. p. 680.

scurrilous buffoonery or filthy discourse, but all was gravity, wisdom, and modesty. Let husbands and wives now imitate these. For why should a husband from the very first suffer the ears of his young spouse to be filled with filth from lascivious and obscene songs, and such unseasonable pomp? Know you not that youth of itself is inclined to evil? Why do you bring the mysteries of venerable marriage upon the open stage? You ought to drive away all this sort, and teach the young bride modesty from the beginning. So, again,[50] discoursing of the marriage of Jacob and Leah, You see, says he, with what gravity marriages were anciently celebrated. Hear this, all ye that admire Satanical pomps, and disgrace the honour of marriage from the very beginning. Was there here any Satanical dancings? Why do you bring such a plague into your house from the very first moment? Why do you call the actors from the stage, and with unseasonable expense wound the virgin's chastity? It is difficult enough without such fomentors to moderate the torrent of youthful affections; but when these things are added, both by seeing and hearing, to raise a greater flame, and make the furnace of the affections rage more violently, how is it possible that the youthful soul should not be destroyed? From all this it is plain, that it was not a sober entertainment at a marriage feast, nor bare music and dancing, nor a modest nuptial song, that the fathers so vehemently declaimed against as Satanical pomps; but it was the obscene and filthy songs, the ribaldry and lascivious actions of mimics and buffoons brought from the stage, joined with their immodest dancings, and other the like vanities, tending to corrupt youthful minds both by seeing and hearing, which they justly inveighed against, as unbecoming the modesty and sobriety of Christians. Any other innocent pomp or mirth they freely allowed, denying only such as savoured of lightness, or lewdness, or intemperance, which naturally tended, like evil communications, to corrupt good manners. And so I have done with the rites and ceremonies observed in the contracting and celebrating of marriage among the ancient Christians. There remains only one thing behind relating to marriage, and that is, to show how the bond of matrimony might in some measure be broken and dissolved by divorce, and what were reputed just and legal causes of divorce; of which, because it is a matter of some moment, I will treat distinctly in a particular chapter.

CHAPTER V.

OF DIVORCES: HOW FAR THEY WERE ALLOWED OR DISALLOWED BY THE ANCIENT CHRISTIANS.

Sect 1. The ancients divided about the sense of fornication. Some taking it only for carnal fornication, and making it the only just cause of divorce.

THE ancients were not perfectly agreed upon this question. The writers of the church were divided among themselves, and the laws of the state differed from both. Our business therefore must be to explain the differences of these opinions, and the several practices that were founded upon each of them. The ecclesiastical writers, for the most part, agreed in one thing, that there was no just cause of divorce allowed by Christ but only fornication; but then they differed about the notion of fornication. Some took it in the obvious and vulgar sense, for carnal fornication only; whilst others extended its signification to include spiritual fornication, or idolatry and apostacy from God, which they thought a lawful cause of divorce as well as the other. And some few thought all other sins that are equal to fornication were included in this notion of fornication, and so made them to be just causes of divorce also. They who thought fornication or adultery was to be taken in the proper and literal sense, confined the business of lawful divorce to this cause only. Clemens Alexandrinus speaks in general against divorces,[1] as they were allowed and commonly practised in his time by the authority of the Roman laws, which made it necessary in case of adultery, and warrantable at least in many other cases. But Tertullian is more express, saying, That the Creator allows no marriage to be dissolved[2] but only for adultery. So Chrysostom in many places: Christ[3] has left but one cause of divorce, that is, adultery. Again, Christ has taught us,[4] that all crimes are to be borne with in the wife besides adultery. The apostles, he says further,[5] thought it hard and burdensome that a man should retain a woman full of all wickedness, and bear with a furious wild beast in his house: and yet He gave them this precept, Matt. xix., " Whosoever shall put away his wife, except it be for fornication, committeth adultery." And this he repeats in other places.[6] Lactantius[7] seems to have been of the same mind; for he says, God commanded that the wife should never be put away, but when she was overtaken in adultery; and the bond of the conjugal covenant can never be loosed,

[50] Chrys. Hom. 56. in Gen. p. 743.

[1] Clem. Strom. 2. cap. 23. p. 504.

[2] Tertul. cont. Marc. lib. 4. cap. 34. Præter ex causa adulterii nec Creator disjungit, quod scilicet ipse conjunxit, &c.

[3] Chrys. Hom. 17. in Mat. p. 177.

[4] Id. Hom. 1. de decem millium Debitore, t. 5. p. 8.

[5] Id. Hom. 63. in Mat. p. 552.

[6] De Virginitate, cap. 28. t. 4. p. 339. Hom. 53. in eos qui Pascha jejunant, t. 5. p. 720.

[7] Lact. Epitome Divin. Instit. cap. 8. Præcepit non dimitti uxorem, nisi crimine adulterii devictam: et nunquam conjugalis fœderis vinculum, nisi ruperit, resolvatur.

except it be when she breaks it; meaning by falseness to the marriage contract. St. Basil says the same,[8] That our Lord forbids divorce equally both to man and woman, save only in the case of fornication. In like manner Asterius Amasenus:[9] "What God hath joined together, let not man put asunder." Hear this, ye hucksters, who change your wives as ye do your clothes; who build new bride-chambers as often and easily as ye do shops at fairs; who marry the portion and the goods, and make wives a mere gain and merchandise; who for any little offence presently write a bill of divorce; who leave many widows alive at once: know of a surety, that marriage cannot be dissolved by any other cause but death only or adultery. St. Jerom understands the precept of Christ after the same manner;[10] that the wife is not to be dismissed but only for fornication. And this was also the opinion of St. Ambrose.

Sect. 2. Others took it to imply spiritual fornication, that is, idolatry and apostacy from God, and other crimes of the like nature.

But St. Austin and some others were of opinion, that fornication, or adultery, which our Saviour makes to be the only just cause of divorce, was to be understood in a little more extensive sense, so as to make it include not only carnal fornication, but spiritual fornication also, that is, idolatry and apostacy from God, and all crimes of the like nature. The fathers of the fourth council of Toledo were certainly of this opinion. For they order,[11] That if any Jews were married to Christian women, they shall be admonished by the bishop of the place, that if they desire to continue with them, they should become Christians. But if upon such admonition they refused, they should be separated; because an infidel cannot continue in matrimonial conjunction with one that was a Christian. And St. Austin for some time was clear in this opinion. For in his Exposition of the Sermon upon the Mount,[12] he says, Idolatry, which the infidels follow, and all other noxious superstition, is fornication: and the Lord permitted the wife to be put away for the cause of fornication. Whence he argues further, That if infidelity be fornication, and idolatry be infidelity, and covetousness be idolatry, there is no doubt to be made but that covetousness is also fornication. Whence he likewise concludes, That for unlawful lusts, not only such as are committed by carnal uncleanness with other men or women, but also for any other lusts, which make the soul by the ill use of the body go astray from the law of God, and perniciously and abominably corrupt it, a man may without crime put away his wife, and a wife her husband, because the Lord excepted the cause of fornication; which fornication we are compelled to take in the most general and universal sense. St. Austin advances the same notion in many other places:[13] yet in his Retractations [14] he speaks a little more doubtfully of this matter, and says, It is a very dark and dubious question, whether a man may put away his wife for this sort of spiritual fornication; but for carnal fornication, that he may put her away, is beyond all question. Hence it appears, that this was no very current doctrine in the church: and yet there appear some footsteps of it before St. Austin. For Hermes Pastor [15] has the same notion of fornication: Adultery, says he, is not only in those who defile their own flesh; but every one commits adultery, that makes an idol. Therefore if a woman so commits adultery, and perseveres therein without repentance, depart from her, and live no longer with her: for otherwise thou wilt be partaker of her sin. And Origen [16] is generally reckoned by learned men [17] as an asserter of this opinion, That if a woman was guilty of other crimes equal to or greater than fornication; as, if she was a sorceress, or a murderer of her children, or the like; that for such crimes she might be lawfully divorced. But these authorities are not sufficient to counterbalance the former, and therefore I reckon this but a private opinion in the church for the three first ages.

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[8] Basil. can. 9. et Hom. 7. in Hexaemeron.

[9] Aster. Hom. 5. ap. Combefis. Biblioth. Patr. Auctar. Nov. t. 1. p. 82.

[10] Hieron. Ep. 30. in Epitaph. Fabiolæ. Et Comment. in Mat. xix.

[11] Conc. Tolet. 4. can. 62. Judæi qui Christianas mulieres in conjugio habent, admoneantur ab episcopo civitatis ipsius, ut si cum eis permanere cupiunt, Christiani efficiantur. Quod si admoniti noluerint, separentur: quia non potest infidelis in ejus conjunctione permanere, quæ jam in Christianam translata est fidem.

[12] Aug. de Serm. Dom. in Monte, lib. 1. cap. 16. Idololatria, quam sequuntur infideles, et quælibet noxia superstitio fornicatio est. Dominus autem permisit causa fornicationis uxorem dimitti.—Si infidelitas fornicatio est, et idololatria infidelitas, et avaritia idololatria, non est dubitandum et avaritiam fornicationem esse. Quis ergo jam quamlibet illicitam concupiscentiam potest recte a fornicationis genere separare, si avaritia fornicatio est? Ex quo intelligitur, quod propter illicitas concupiscentias, non tantum quæ in stupris cum alienis viris aut fœminis committuntur, sed omnino quaslibet, quæ animam corpore male utentem a lege Dei aberrare faciunt, et perniciose turpiterque corrumpunt, possit sine crimine et vir uxorem dimittere, et uxor virum, qùia exceptam facit Dominus causam fornicationis: quam fornicationem generalem et universalem intelligere cogimur.

[13] Aug. de Adulterinis Conjugiis, lib. 1. cap. 18. t. 6. De Fide et Oper. cap. 16. Epist. 89. ad Hilarium, in Respons. ad Quæst. 4.

[14] Aug. Retractat. lib. 1. cap. 19.

[15] Herm. Pastor. lib. 2. Mandat. 4. Non solum mœchatio est illis, qui carnem suam coinquinant: sed et is qui simulacrum facit, mœchatur. Quod si in his factis perseverat, et pœnitentiam non agit, recede ab illa, et noli convivere cum illa; alioquin et tu particeps eris peccati ejus.

[16] Orig. Hom. 7. in Mat.

[17] Vid. Grotius, in Mat. v. 32. Et Selden. Uxor. Hebr lib. 3. cap. 31. p. 602.

Sect. 3. This later opinion from the time of Constantine much countenanced by the laws of the state. 1st, By Constantine himself.

But when Constantine came to the imperial throne, the laws of the state all turned this way, and were made in favour of divorce upon other causes besides that of carnal fornication. Women indeed had not immediately in all respects the same privilege as men; but yet for three crimes, specified in one of Constantine's laws,[18] each sort were at liberty to make divorces. The man was at liberty to give a bill of divorce to his wife, if she was either an adulteress, or a sorceress, or a bawd: and the woman on the other hand might give a bill of divorce to her husband, if he was a murderer, or a sorcerer, or a robber of graves; but for being a drunkard, or a gamester, or a fornicator, she had no power against him. And here was the great inequality between the man and the woman, that the man had liberty by this law to put away his wife for adultery; but the woman had not the same privilege against an adulterous husband. And this is a thing frequently complained of by the ancient writers, who thought the man and the woman were upon the same foot and right by the law of God, and that a woman ought to have as much power to put away a fornicating husband, as a husband to put away a lewd wife. And, as Gothofred[19] observes, there were some old Roman laws which made the privilege equal; as the rescript of Antonine, mentioned by St. Austin,[20] and the judgment of Ulpian in the Pandects.[21] But, notwithstanding these laws, custom prevailed on the men's side, to give them licence to dismiss their wives for fornication, or even any slight cause, without allowing the same privilege to the woman. As Gothofred there evinces from the complaints made by Lactantius,[22] Gregory Nazianzen,[23] Asterius Amasenus,[24] Chrysostom,[25] Jerom,[26] and several others. And Constantine was much inclined to correct these abuses and inequality of privileges in the matter of divorce between men and women; but in the first beginnings of reformation he could not do every thing as he piously intended; and therefore was in a manner constrained to make this law with some inequality to women, who might be put away for fornication, though they might not for the same crime put away their husbands. But as he in some measure restrained the great liberty of divorcing upon any occasion, which the heathen laws before had allowed men; so he granted men liberty in more cases to put away their wives, than had been generally thought consistent before with the strict interpretation of the law of Christ. For that, as I showed before, takes the exception of fornication or adultery in the strictest sense; but Constantine allowed divorce in cases that cannot be called fornication in the strict sense, but require a much larger interpretation. And whether he consulted the Christian bishops at that time before he made his law; or whether the bishops then had that extensive notion of fornication including other great crimes, such as murder, sorcery, sacrilege, and the like, as Mr. Selden supposes they had; is what I will not venture to assert, because many in those times were of a different opinion.

Sect. 4. Then by Honorius.

However, it is certain, that the following emperors trod in the same steps, still adding more causes of divorce to the first three which Constantine had allowed. For Honorius not only allowed of divorces both in men and women for great crimes, but also gave way to divorces for lesser faults, only imposing a slight penalty upon them. For by one of his laws,[27] a man for great crimes might put away his wife, and recover both his espousal gifts and dowry, and marry again as soon as he pleased; and for lesser faults he might put her away without any other punishment than loss of the dowry, and confinement not to marry within two years. So that here was plainly permitted a greater liberty of divorce than had been allowed by the law of Constantine before. Which made Asterius Amasenus[28] complain, as we have heard before, that husbands were mere hucksters in marriage; changing their wives as they did their clothes; building new bride-chambers as often and as easily as they did their shops at fairs; marrying the portion and the goods, and making wives a mere gain and merchandise; for any little offence presently writing a bill of divorce, and leaving many widows alive at once. And Gothofred himself complains[29] that this was the great blemish of this age; for it had been more agreeable to the Divine law, not to have suffered such divorces at all, rather than to have allowed them only with such slight penalties put upon them.

Sect. 5. And Theodosius junior.

But Theodosius junior went yet a little further in the former part of his reign; for he abrogated the two preceding laws of Constantine and Honorius, and re-

[18] Cod. Theod. lib. 3. Tit. 16. de Repudiis, Leg. 1.

[19] Gothofred. in locum.

[20] Aug. de Adulterin. Conjug. lib. 2. et de Bono Conjugali.

[21] Pandect. lib. 48. Tit. 5. ad Legem Jul. de Adulter. Leg. 13. n. 5.

[22] Lactant. lib. 6. cap. 23.

[23] Naz. Orat. 31.

[24] Aster. Hom. 5.

[25] Chrys. Hom. 19. in 1 Cor. Hom. 5. in 1 Thes.

[26] Hieron. Epitaph. Fabiolæ, Ep. 30.

[27] Cod. Theod. Lib. 3. Tit. 16. de Repudiis, Leg. 2. Si divortium maritus objecerit, ac mulieri grave crimen intulerit, persequatur legibus accusatam, impetratâque vindicta et dote potiatur et suam recipiat largitatem, et ducendi mox alteram liberum sortiatur arbitrium. Si vero morum est culpa, non criminum, donationem recipiat, et dotem relinquat, aliam post biennium ducturus uxorem.

[28] Aster. Hom. 5. ap. Combefis. Auctar. Nov. t. 1 p. 82.

[29] Gothofred. in dict. Leg. Honorii.

duced back again into use the old Roman laws about divorces, by a Novel, anno 439, which runs[30] in these terms: We command that marriages be contracted by mutual consent; but when they are contracted, they shall not be dissolved otherwise than by giving a bill of divorce. But in giving a bill of divorce, and making inquiry into the causes or faults proper to be alleged for divorce, we think it hard to exceed the rules of the ancient laws. Therefore now abrogating those constitutions, which command heavy penalties to be laid upon husbands or wives dissolving marriage, we by this constitution appoint, that divorces, and faults alleged as reasons for divorce, and the punishments of such faults, be reduced to the ancient laws and the answers of the prudent. But this abrogation of those two former laws, as Mr. Selden[31] observes, was doubtless displeasing to very many, as seeming to introduce again the licentiousness of old paganism in the matter of divorces, and to permit them to be made for any fault or crime whatsoever. Therefore within a few years Theodosius himself revoked this constitution, making another law, anno 449, wherein he specified more particularly the causes for which either man or woman might lawfully give a bill of divorce.[32] If any woman found her husband to be an adulterer, or a murderer, or a sorcerer, or attempting any thing against the government, or guilty of perjury; or could prove him a robber of graves, or a robber of churches, or guilty of robbery upon the highway, or a receiver or encourager of robbers, or guilty of plagiary or man-stealing; or that he associated openly in her sight with lewd women; or that he insidiously made attempt upon her life by poison, or sword, or any other way; or that he beat her with stripes contrary to the dignity of free-born women: in all these cases she had liberty to right herself by a bill of divorce, and make her separation good against him at the law. In like manner if the husband could prove his wife to be an adulteress, or a sorceress, or a murderer, or a plagiary, or a robber of graves, or a robber of churches, or a harbourer of robbers; or that she feasted with strangers against his knowledge or his will; or that she lodged out all night without any just and probable cause, against his consent; or that she frequented the games of the cirque, or the theatre, or the place where the gladiators or fencers used to fight, against his prohibition; or that she made attempts upon his life by poison, or sword, or any other way; or was partaker with any that conspired against the government; or guilty of any false witness or perjury; or laid bold hands upon her husband: in all these cases the man had equal liberty to give his wife a bill of divorce, and make his action good against her at the law. But if the woman divorced herself without any of the foresaid reasons, she was to forfeit her dowry and espousal gifts, and to remain five years without marrying again. And if she pretended to marry within that time, she was to be reputed infamous, and her marriage to be reckoned as nothing. But if she rightly proved her cause, she was to recover her dowry and antenuptial gifts, and had liberty to marry again within a year. And if the man made good his action against the woman, he might retain the dowry and espousal gifts, and marry again as soon as he pleased.

Sect. 6. And Valentinian III.

Not long after Valentinian III. published a Novel, wherein abolishing the old Roman practice of making divorces without any other cause but mere consent of both parties, (which, though forbidden by Constantine, was crept into use again,) he reflects upon the first Novel of Theodosius, which also permitted such divorces by mutual consent; and ordered, that the decrees[33] of Constantius (or rather Constantine, for so it should be read) concerning the dissolution of marriage should be observed, permitting none to dissolve their marriage barely by mutual consent.

Sect. 7. And Anastasius.

Yet notwithstanding this, Anastasius, about the year 497, brought in that antiquated practice again. For though he commended the last constitution of Theodosius junior, as an excellent law, yet he relaxed the force of it in this one point; ordering[34] that if a divorce was made by mutual consent of the man and woman, without alleging any of those causes against each other that are mentioned in Theodosius's law, the divorce should be allowed; and the woman should not be obliged to wait five years before she married, (as some former laws directed,) but after one year was expired, she should have free liberty to marry as she pleased a second time.

Sect. 8. And Justinian.

Thus stood the business of divorces in the civil law to the time

[30] Theodos. Novel. 17. ad calcem Cod. Theod. Consensu licita matrimonia posse contrahi, contracta non nisi misso repudio dissolvi præcipimus.——Sed in repudio culpaque divortii perquirenda, durum est legum veterum moderamen excedere. Ideo constitutionibus abrogatis, quæ nunc maritum nunc mulierem matrimonio soluto præcipiunt pœnis gravissimis coerceri, hac constitutione repudia, culpas, culparumque coherctiones ad veteres leges responsaque prudentum revocari censemus.

[31] Selden. Uxor. Hebr. p. 567.

[32] Cod. Just. lib. 5. Tit. 17. de Repudiis, Leg. 8.

[33] Valentin. Novel. 12. de Episcopali Judicio, cap. 7. In ipsorum matrimoniorum reverentia et vinculo, ne passim et temere deserantur, antiquata novella lege, quæ solvi conjugia sola contraria voluntate permiserat, ea quæ a divo patre nostro Constantio decreta sunt, intemerata serventur.

[34] Cod. Justin. lib. 5. Tit. 17. de Repudiis, Leg. 9. Si constante matrimonio, communi consensu tam viri quam mulieris repudium sit missum, quo nulla causa continetur, quæ consultissimæ constitutioni divæ memoriæ Theodosii et Valentiniani inserta est, licebit mulieri non quinquennium expectare, sed post annum ad secundas nuptias convolare.

of Justinian, anno 528, when by a new decree[35] of his own he not only confirmed all the causes of divorce that had been declared legal by the long constitution of Theodosius, but added one more to them, which had never been mentioned before; viz. the case of imbecility in the man; whom the wife, after two years, for this reason might put away by a bill of divorce. And this he again repeats in one of his Novels,[36] only with this difference, that instead of two years, there should be allowed three. In another law[37] he adds to all the former causes of divorce these that follow, viz. If the wife industriously use means to cause abortion; or be so lewd and luxurious, as to go into a common bath with men; or endeavour, when she is in matrimony, to be married to another man. But he hereby cancelled and abolished all such ancient laws as allowed of divorce for light and trivial causes. He repeats the same causes of divorce in other Novels, and adds to them some other cases; as, if a man or woman was minded to betake themselves to a monastic life, they might then give a bill of divorce, without alleging any other cause of separation:[38] which was a new law of Justinian's; for this was never allowed as a just cause of divorce before. He allowed also that a bill of divorce might be given in case either party was a long time detained in captivity. Which sort of divorces were said to be made *cum bono gratia*,[39] not for any crime, but, as it is called, for other reasonable causes. Thus stood the matter of divorces in the time of Justinian, when the civil law was fully revived and settled in the Roman empire. What new laws or alterations were afterward made by the other princes either in the East or West to the time of the Reformation, the reader that pleases may see in Mr. Selden,[40] who carries the history down to the last ages; but this is beyond the limits of the present discourse, which is designed only to account for the practice of church or state in the primitive ages.

[35] Cod. Justin. ibid. Leg. 10.
[36] Justin. Novel. 22. cap. 6.
[37] Cod. Just. ibid. Leg. 11.
[38] Just. Novel. 117. cap. 12. It. Cod. lib. 1. Tit. 3. de Episc. et Cler. Leg. 53. See also Novel. 134. cap. 11.
[39] Novel. 22.
[40] Selden. Uxor. Hebr. lib. 3. cap. 29, 30, &c.

BOOK XXIII.

OF FUNERAL RITES, OR THE CUSTOM AND MANNER OF BURYING THE DEAD, OBSERVED IN THE ANCIENT CHURCH.

CHAPTER I.

OF CEMETERIES, OR BURYING-PLACES, WITH AN INQUIRY, HOW AND WHEN THE CUSTOM OF BURYING IN CHURCHES FIRST CAME IN.

Sect. 1. A cemetery a common name for a burying-place and a church. How this came to pass.

BEFORE we say any thing of the sacred rites and customs observed in burying the dead, it will be necessary to give some account of the places where they were buried. That the Christians had anciently some places peculiar to themselves for burying their dead, is evident from hence, that they often met in times of persecution to celebrate Divine service at the graves and monuments of their martyrs; which had not been proper places for such meetings, had they been common to them with the heathens. These were called by a general name, *κοιμητήρια, cœmeteria*, dormitories or sleeping-places, because they esteemed death but a sleep, and the bodies there deposed not properly dead, but only laid to sleep till the resurrection should awaken them. These were otherwise called *areæ sepulturarum*,[1] and *cryptæ*,[2] because they were vaults often made under-ground, where the Christians could meet with greater safety to hold religious assemblies in time of persecution. Upon which account, as I have noted elsewhere,[3] all these were common names both of burying-places and places of religious assemblies. Whence the heathens often, when they would forbid Christians to hold any assemblies for Divine service, forbid them their *areæ;* as in that place of Tertullian, *Areæ non sint*, Let the Christians have none of their *areæ* to meet in;[4] and the like prohibitions we find in other places. So in like manner Æmylian the Roman prefect tells Dionysius, bishop of Alexandria,[5] that they should not have liberty to go into their cemeteries, as they called them, and there hold their assemblies for Divine worship. In all which places it is evident the words are taken promiscuously both for burying-places and places of assembling for religious worship. Which would incline a man almost to think, were there not otherwise insuperable arguments against it, that it was the ancient custom of the most primitive Christians to bury in churches.

Sect. 2. No burying places in cities or churches for the first three hundred years.

But upon a nicer inquiry and more exact view, we are sure there neither was nor could be any burying in churches, properly speaking, for the first three hundred years. Necessity sometimes forced the Christians, during this interval, to hold their assemblies in the burying-places of the martyrs, and so make a sort of extraordinary and temporary churches of them; as they might do of any cave or place of retirement in such circumstances: for, as Dionysius of Alexandria[6] well words it, Every place is instead of a temple in time of persecution, whether it be a field, or a wilderness, or a ship, or an inn, or a prison. But this occasional use in an extraordinary case and extreme necessity, does not properly make them churches, that is, places set apart only for Divine service. And therefore the occasional meetings of the primitive Christians in their cemeteries, or at the graves and monuments of the martyrs, did not as yet turn them into churches: neither can it be said with any propriety upon this account, that they then buried in churches, but only that they made a sort of extraordinary churches, or places of occasional assembly, at the graves or burying-places of the dead. Their churches, which were their standing and proper churches, were chiefly then in cities, and in most places it may be in cities only: and the Roman laws all

[1] Tertul. ad Scapul. cap. 3.

[2] Hieron. Com. in Ezek. cap. 40.

[3] Book VIII. chap. 1. sect. 9.

[4] Vid. Tertul. ad Scapul. c. 3. Et Gesta Purgationis Cæcilian. ad calcem Optati, p. 272 et 277. Item Passio Cypriani, p. 12.

[5] Ap. Euseb. lib. 7. cap. 11. *Οὐδαμῶς ἐξέσται ὑμῖν, ἢ συνόδους ποιεῖσθαι, ἢ εἰς τὰ καλούμενα κοιμητήρια εἰσιέναι.*

[6] Ap. Euseb. lib. 7. cap. 22.

that time forbade all burying in cities to persons of every rank and quality whatsoever. Consequently, the Christians, who lived in a due obedience and subjection to the Roman laws in all things of an innocent and indifferent nature, no ways interfering with the necessary rules of their religion, were as ready to comply with this innocent law or custom as any others: and that is an undoubted argument, that the Christians neither did nor could then bury in churches. The heathens, indeed, themselves sometimes brake through the laws, and in spite of prohibition and restraint would presume to bury in cities: but we no where find this accusation of transgressing the laws in this particular brought against the Christians; but rather the Christians objected the transgression of it to the heathens; as Savaro, in his learned notes upon Sidonius Apollinaris,[7] shows out of several passages of Clemens Alexandrinus, Arnobius, Lactantius, Julius Firmicus, Prudentius, and others. It was one of the original laws of the Twelve Tables, *In urbe ne sepelito, neve urito*,[8] Let no one bury or burn in the city. This was afterward confirmed, upon some transgression, by a decree of the senate when Duellius was consul, as Savaro shows further out of Servius's Observations upon Virgil. And then, for some time, the practice was to bury only in the suburbs, and not in the city, as the same author shows out of Tully, Livy, and Ovid. Afterward, upon some invasion made again upon the law, (for the heathens were still ambitious of burying in the temples,) Hadrian published a new edict to forbid it,[9] laying a penalty of forty pieces of gold upon any one that should presume to bury in the city, and as much upon the judges that permitted it; ordering the place to be confiscated, and the body to be removed. And no municipal or private laws in this case, Ulpian says, were to be regarded against the general law of the prince. Antoninus Pius, successor to Hadrian, revived the same law, forbidding any to bury the dead within the cities, as Julius Capitolinus,[10] the writer of his Life, informs us. And Gothofred[11] cites Paulus, the eminent lawyer, as concurring in the same judgment, and giving a good reason for it: It is not lawful for any corpse to be buried in the city, that the sacred places of the city be not defiled. Finally, Diocletian[12] mentions and confirms these preceding laws by a law of his own, wherein he gives the same reason against burying in cities as Paulus did before. Hence it was, that graves and monuments were commonly erected by the highways' side without the cities, as Varro, an ancient Roman writer,[13] observes, giving a further reason for it, That passengers might be admonished that they themselves were mortal, as well as those that lay buried there. Augustus and Tiberius were buried in the Via Appia,[14] and Domitian in the Via Latina.[15] And, accordingly, Juvenal[16] speaks of the dead in general, as those that lay buried in the Via Flaminia and Latina.[17] St. Peter, upon this account, was buried in the Via Triumphalis, beyond the Tiber, as St. Jerom[18] informs us; and St. Paul in the Via Ostiensis, three miles without the gate of the city,[19] as the same author, and all others that speak of their deaths, assure us. Nay, Sidonius Apollinaris assures us further, that the place where St. Peter was buried, though there was then a church built over it, was still in his time, anno 470, without the *pomœria*, or space before the walls of Rome. For, speaking of his journey to Rome, he says, Before ever he came at the *pomœria* of the city, he went and saluted the church of the apostles, which stood in the Via Triumphalis, *Sidon. lib.* 1. *Ep.* 5, *Priusquam vel pomœria contingerem, triumphalibus apostolorum liminibus affusus, &c.* Which implies, that his monument and church was still without the walls. And so generally the graves and monuments of the martyrs are spoken of as being without the cities: as St. Cyprian's[20] in the Via Mappaliensi; and Sixtus's in the cemetery of Calixtus, in the Via Appia;[21] and his six deacons' in the cemetery of Prætextatus, Via Appia; and St. Laurence's in the *crypta*, Via Tiburtina. And upon this account, in after ages, when they held assemblies at the monuments of the martyrs, we always find them speaking of going out of the cities into the country, where the martyrs lay buried. Thus Chrysostom, in one of

[7] Savaro in Sidon. lib. 3. Ep. 12. p. 201. Et Dallæus de Objecto Cultus Religiosi, lib. 4. cap. 7. p. 620.

[8] Cicero de Legibus, lib. 2. n. 58.

[9] Ulpian. in Digest. lib. 47. Tit. 13. de Sepulchro violato, Leg. 3. Divus Hadrianus rescripto pœnam statuit quadraginta aureorum in eos, qui in civitate sepeliunt; et in magistratus eadem qui passi sunt: et locum publicari jussit, et corpus transferri, &c.

[10] Capitolin. Vit. Antonini Pii, p. 60. Intra urbes sepeliri mortuos vetuit.

[11] Paulus Sentent. lib. 1. cap. ult. Corpus in civitatem inferri non licet, ne funestentur sacra civitatis: et qui contra ea fecerit, extra ordinem punitur. Ap. Gothofred. in Cod. Theod. lib. 9. Tit. 17. de Sepulchris Violatis, Leg. 6.

[12] Cod. Justin. lib. 3. Tit. 44. de Religiosis et Sumptibus Funerum, Leg. 12. Mortuorum reliquias, ne sanctum municipiorum jus polluatur, intra civitatem condi jam pridem vetitum est.

[13] Varro de Lingua Latina, lib. 5. cited by Gothofred. Sepulchra ideo secundum viam sunt, quo prætereuntes admoneant, et se fuisse, et illos esse mortales. Vid. Tertul. de Testimonio Animæ, cap. 4.

[14] Seneca, Apocolocynth. Claud. Appiæ Viæ curator est, qua scis et Divum Augustum et Tiberium Cæsarem ad Deos isse.

[15] Sueton. Vit. Domitiani, cap. 17.

[16] Juvenal. Sat. 1. in fine. Quorum Flaminia tegitur cinis atque Latina.

[17] Vid. plura ap. Dempster. in Rosini Antiq. Rom. lib. 5. cap. ult. p. 1006.

[18] Hieron. de Scriptor. cap. 1.

[19] Ibid. cap. 15.

[20] Passio Cypriani, p. 14.

[21] Pontifical. Vit. Sixti.

his homilies upon the martyrs, says,[22] As before, when the festival of the Maccabees was celebrated, all the country came thronging into the city; so now, when the festival of the martyrs, who lie buried in the country, is celebrated, it was fit the whole city should remove thither. In like manner, speaking of the festival of Drosis[23] the martyr, he says, Though they had spiritual entertainment in the city, yet their going out to the saints in the country afforded them both great profit and pleasure. From all which it is evident to a demonstration, that for the three first centuries the Christians neither did nor could bury in the cities or city churches, because the Roman laws, with which they readily complied, were absolutely against it. If afterwards at any time we meet with martyrs lying in churches, that is only to be understood of the relics of martyrs translated into the city churches, or of churches newly built in the country over the graves and monuments of the martyrs: neither of which has any relation at all to burying in churches; because the one was only the translation of their ashes in an urn some ages after, and the other rather an erecting of new churches in the places where the martyrs lay buried some ages before, than any proper burial of the martyrs in churches. Though this gave the first occasion in future times to the innovation that was made in this matter of burying in churches, as we shall see more hereafter.

Sect. 3. But either in monuments erected by the public, or in vaults and catacombs in the fields under ground.

Meanwhile let it be observed, that the common way of burying, for this interval of three hundred years, was either in graves with monuments set over them in the public roads, or else in vaults and catacombs for greater safety made in the fields and under-ground. For that they had such vaults for this purpose, called *cryptæ* and *arenaria*, from their being digged privately in the sand underground, is evident both from the ancient and modern accounts of them. Baronius[24] tells us there were about forty-three such in the suburbs of Rome; and Onuphrius[25] gives us a particular account of their names (taken from the names of their founders, or such charitable persons as were at the pains or charge to build or repair them): and what is chiefly remarkable, he tells us the places where they were, viz. not in the city, but in the ways or roads without the walls, leading from Rome to other places, as the Via Appia, Aurelia, Ostiensis, Nomentana, Tiburtina, Latina, Salaria, Flaminia, Portuensis, Ardeatina, Lavicana, &c.; which are the known roads leading to the neighbouring cities about Rome. And by this we may understand what St. Jerom means, when he says,[26] It was his custom, when he was a boy at school in Rome, on Sundays to go about and visit the sepulchres of the apostles and martyrs, and often to enter into the vaults, which were digged deep into the ground, and on each side as one went in, had along by the walls the bodies of such as lay buried; and were so dark, that to enter in them was, in the psalmist's language, "almost like going down alive into hell:" the light from above peeped in but here and there, a little to take off the horror of darkness, not so much by windows, as little holes and crannies, which still left a dark night within, and terrified the minds of such as had the curiosity to visit them, with silence and horror. This is to be understood, not of any places within the city, but of those vaults which lay by the several ways round about Rome. And the description agrees very well with the account which Baronius[27] gives of one of them, called the cemetery of Priscilla, discovered in his time, anno 1578, in the Via Salaria, about three miles from Rome. He says, At the entrance of it there was one principal way, which on either side opened into divers other ways, and those again divided into other lesser ways, like lanes in a city: there were also some void open places fitted for their holding of religious assemblies, which had in them the effigies and representations of martyrs; and likewise, there were holes at the top of it to let in light, but these were long ago stopped up. These catacombs of Rome have made the greatest noise in the world, but there were such belonging to many other cities. Bishop Burnet[28] describes those of Naples, which he says are without the city, and much more noble and spacious than those of Rome. He supposes them to be made by the heathens, and not by the Christians: which is not a dispute material in our present inquiry; because, whether they were made by the one or the other, (probably some were made[29] by each,) they were still without the walls of the cities, which is enough to our present purpose. And to this agrees the testimony of that ancient writer under the name of St. Chrysostom, who says in general, that every city, nay, every village[30] had their graves or burying-places before the entrances into them, that they who went in might first consider what they themselves were, before they set a foot into the cities

[22] Chrys. Hom. 65. de Martyribus, t. 5. p. 972.

[23] Chrys. Hom. 67. in Drosidem, t. 5. p. 989.

[24] Baron. an. 226. n. 9.

[25] Onuphr. de Cœmiteriis, cap. 12.

[26] Hieron. in Ezek. cap. 40. p. 636. Dum essem Romæ puer—Solebam diebus Dominicis sepulchra apostolorum et martyrum circuire, crebroque cryptas ingredi, quæ in terrarum profunda defossæ, ex utraque parte ingredientium per parietes habent corpora sepultorum, &c.

[27] Baron. an. 130. n. 2.

[28] Burnet's Travels, Letter 4. p. 201.

[29] Christian catacombs are mentioned in a very ancient book, called Depositio Martyrum, cited by Bp. Pearson, Annal. Cyprian. an. 258. p. 62.

[30] Chrys. Hom. 17. de Fide et Lege Naturæ, t. 6. p. 181. Πᾶσα πόλις, πᾶσα κώμη πρὸ τῶν εἰσόδων τάφους ἔχει, κ.τ.λ. Vid. Tertul. de Testimon. Animæ, cap. 4.

flourishing with riches, dignity, and power. There are graves before cities, and graves before fields: every where the school of humility lies before our eyes. Now I think, upon the whole, we can hardly have better proof of any thing than we have of this, whether we consider law or fact, that for the first three hundred years, under the heathen emperors, the general rule and custom was to bury without the walls of the cities, and consequently neither in cities nor city churches, unless by some connivance or transgression.

Hegesippus, indeed, and Eusebius, (lib. 2. cap. 23,) and St. Jerom after them, say, that St. James, bishop of Jerusalem, was buried in the city near the temple, where he was slain; but St. Jerom owns there were some who thought he was buried upon Mount Olivet, which is much more probable; because it is certain from the Gospel, that it was the custom of the Jews to bury without the city, Matt. xxvii. 60; Luke vii. 12; John xi. 30. And Eusebius, speaking of the mausoleum or monument of Helena, queen of Adiabene, says expressly it was ἐν προαστείοις, in the suburbs of Jerusalem, *Euseb. lib.* 2. *cap.* 12. So that, for any thing that appears to the contrary, it may be concluded to have been the general custom both of Christians, Jews, and Romans, to bury all their dead without the cities for the first three hundred years.

Sect. 4. Burying in cities and churches prohibited by Christian emperors for several ages after.

Let us next examine how this matter stood in the next period of time, when the emperors and laws were both become Christian. Now, here we find that the laws stood for many ages just as they were before, forbidding all burying in cities; and some new laws were made, particularly prohibiting and restraining men from burying in churches. For, when some persons in Constantinople began to make an invasion upon the laws, under pretence that there was no express prohibition of burying in churches made in them; Theodosius, by a new law,[31] equally forbade both burying in cities and burying in churches; and this, whether it was only the ashes or relics of any bodies kept above-ground in urns, or whole bodies laid in coffins; they were all to be carried and reposited without the city, for the same reasons that the old laws had assigned; viz. that they might be examples and memorials of mortality, and the condition of human nature, to all passengers; and also that they might not defile the habitation of the living, but leave it pure and clean to them. And if any presumed to transgress henceforward the inhibition of this law, he was to forfeit the third part of his patrimony; and whatever officer was assisting in such a funeral was to be amerced in a fine of forty pounds of gold. And that no little quirk or subtilty should elude the intention of this law, and leave men at liberty to think that this general prohibition of burying in the city did not exclude men from burying in the places where the ashes of the apostles and martyrs were reposited, it was expressly provided, that they should be secluded from these repositories, as well as any other places within the city. St. Chrysostom takes notice of this law, arguing thus with sinners, whom he reckons no better than mere graves and sepulchres, when dead in trespasses and sins: Consider, says he,[32] that no grave is allowed to be made in the city; therefore neither canst thou appear in the city that is above. For if this be forbidden in an earthly city, how much more in that which is heavenly! In like manner in another place;[33] If we bury dead bodies without the city, much more ought we to expel those who speak dead words, offensive to others, and utter things they ought to conceal; for such mouths are the common pest and plague of the city. The author under the name of St. Chrysostom,[34] probably Severianus of Gabala, one of his contemporaries, had his eye upon this law, and those that went before, when he said, Every city and village had their burying-places before their entrance into them. This is not only an evidence of what went before, but also of the practice of his own times, pursuant to the law, about the year 400. Sidonius Apollinaris, a French bishop, lived almost a whole century after this, and he plainly intimates, that it was still the custom in France to bury without the walls of the city in the open field. For, speaking of the grave of his grandfather, he says, It was a field where he lay buried,[35] filled with funeral ashes, and the bodies of the dead, in the road and suburbs of the city Arverne. And after this the council of Braga, anno 563, speaks of it again,[36] as a privilege even then firmly re-

[31] Cod. Theod. lib. 9. Tit. 17. de Sepulchris Violatis, Leg. 6. Omnia, quæ supra terram urnis clausa, vel sarcophagis corpora detinentur, extra urbem delata ponantur, ut et humanitatis instar exhibeant, et relinquant incolarum domicilio sanctitatem. Quisquis autem hujus præcepti negligens fuerit, atque aliquid tale ab hujus interminatione præcepti ausus fuerit moliri, tertia in futurum patrimonii parte multetur: officium quoque quod sibi paret, quinquaginta librarum auri affectum dispoliatione merebitur. Ac ne alicujus fallax et arguta sollertia ab hujus se præcepti intentione subducat, atque apostolorum vel martyrum sedem humandis corporibus æstimet esse concessam, ab his quoque, ita ut a reliquo civitatis, noverint se atque intelligant esse submotos.

[32] Chrys. Hom. 37. al. 74. in Mat. p. 634. Ἐννόησον ὅτι οὐδεὶς τάφος ἐν πόλει κατασκευάζεται, κ.τ.λ.

[33] Ibid. Expos. Psalm. v. t. 3. p. 50. Εἰ τὰ νεκρὰ σώματα ἔξω τῆς πόλεως καταθάπτομεν, κ.τ.λ.

[34] Ibid. Hom. 17. de Fide, t. 6. p. 184. Vid. Macarium, Hom. 30.

[35] Sidon. lib. 3. Ep. 12. Campus ipse dudum refertus tam bustualibus favillis, quam cadaveribus, nullam jamdiu scrobem recipiebat, &c.

[36] Conc. Bracarens. 1. can. 36. Firmissimum hoc privi-

tained in the cities of France, that no corpse whatsoever was buried within the walls of any of their cities; and they make use of this as an argument, why no one should be buried in any church in Spain. Of which more by and by. In the mean while, if we look into Africa, in the time of St. Austin, anno 401, we find by an order made in the fifth council of Carthage against the Donatists, that it was then the custom to bury still in the fields and highways. For the Donatists so buried the Circumcellions, their pretended martyrs, erecting them tombs in the fashion of altars to be their memorials. Upon which account that council ordered,[37] That such altars that were so erected by the roads or in the fields, as monuments of martyrs, in which it could not be proved that the bodies or relics of true martyrs were reposed, should be demolished, if it were possible, by the bishops of the respective sees in whose dioceses they were found. Which was not so ordered because they were buried in the fields or highways, (for that was agreeable to the law made by Theodosius not long before,) but because it was doubtful whether they were true martyrs or not. For neither the catholics nor Donatists did then generally pretend to bury either in cities or in churches; but only some few of the Circumcellions, who were the fiercer and hotter part of them, in spite of all laws, buried some of their pretended martyrs in the churches: but even these, as Optatus[38] tells us, were taken up again and cast out, because it was not lawful to bury any corpse in the house of God. This is the first instance of any, that I remember, being buried in churches; and then it was contradicted by the bishop of the place, by whose order they were cast out. No alteration as yet was made in the law against burying in churches. For Justinian, who cut off the former part of Theodosius's law against burying in cities, retained still the latter part, against burying in churches, inserting it into his Code:[39] Let no one think that the places of the apostles and martyrs are allowed to bury human bodies in. And long after this the prohibition continued to the time of Charles the Great, though with some exceptions in favour of some eminent persons, as we shall see in the sequel of the story, examining by what steps and degrees the contrary custom came into the church.

Sect. 5. The first step made toward burying in churches was, the building of churches over the graves of the martyrs in the country, or else translating their relics into the city churches.

The first thing that gave occasion to any to think of burying in churches was, the particular honour that was done to martyrs in the fourth century, when the graves or monuments where they lay buried, and where the Christians had used to assemble in times of persecution formerly for the worship of God, had now churches erected over them in the country: or else their ashes and remains were translated into the city, and deposited in churches; and many times new churches were erected in the places where they were laid, thence called *martyria*, *propheteia*, *apostolæa*, from the martyrs, prophets, or apostles, whose remains were translated into them. This was so much the known practice of the fourth century, that I need not stand to give any particular instances of it, but only remark in general, that it had so much the approbation of the church in that age, as that no such kind of *martyria* or churches were to be builded, unless the remains of some approved martyrs were reposited in them. Which appears from a canon of the fifth council of Carthage,[40] forbidding any memorials of martyrs to be accepted as such, unless either the body or the relics of a martyr were certainly known to be deposited there. But then this was nothing to burying in churches, but only an honour paid to the ashes of the martyrs, who had been dead and buried, it may be, some hundreds of years before; and cannot so properly be called a burying in churches, as a building of churches, and new erecting them, in the ancient burying-places of the dead. But whatever it was, it was a peculiar privilege of the martyrs to have their remains thus reposited in the body of the church: the laws forbade it still to all others, and the greatest persons had not this honour and favour allowed them, to be interred in the same place where the remains of the martyrs were reposed.

Sect. 6. The next was, allowing kings and emperors to be buried in the *atrium*, or porch and outer buildings of the church.

But kings and emperors had in this age a peculiar privilege above the rest of men, to be buried in the *atrium*, or church porch, or some other of the outer buildings of the church.

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legium usque nunc retinent Galliæ civitates, ut nullo modo intra ambitum murorum civitatum cujuslibet defuncti corpus sit humatum, &c.

[37] Conc. Carth. 5. can. 14. Placuit, ut altaria, quæ passim per agros aut vias, tanquam memoriæ martyrum constituuntur, in quibus nullum corpus aut reliquiæ martyrum conditæ probantur, ab episcopis qui eisdem locis præsunt, si fieri potest, evertantur.

[38] Optat. lib. 3. p. 68. In loco Octavensi occisi sunt plurimi, detruncati sunt multi; quorum corpora usque in hodiernum per dealbatas aras et mensas poterunt numerari. Ex quorum numero cum aliqui in basilicis sepelire cœpissent, Clarius presbyter in loco subbulensi ab episcopo suo coactus est ut insepultam faceret sepulturam. Unde proditum est mandatum fuisse fieri quod factum est, quando nec sepultura in domo Dei exhiberi concessa est.

[39] Cod. Justin. lib. 1. Tit. 2. de Ecclesiis, Leg. 2. Nemo apostolorum vel martyrum sedem humanis (leg. humandis) corporibus existimet esse concessam.

[40] Conc. Carth. 5. can. 14. Omnino nulla memoria martyrum probabiliter acceptetur, nisi aut ibi corpus, aut aliquæ certe reliquiæ sint, &c. Note, These relics were buried under the altar, not kept above-ground upon the altar: for Mabillon says, No relics were set upon the altar till the tenth century. Mabil. de Liturg. Gallicana, lib. 1. cap. 9. n. 4.

Eusebius says,[41] Constantine had desired to be buried near the apostles, whose memorial he had honoured by building a church called by their names. But this was not understood to be a desire to be buried in the church itself, but only in the porch before the church. And so far Constantius his son fulfilled his will, as Chrysostom more than once informs us. His son,[42] says he, thought he did his father Constantine a very great honour, to bury him in the fisherman's porch. And what porters are to the emperors in their own palaces, the same are the emperors to the fishermen in their graves. The apostles, as masters of the place, have their residence within; but the emperors' ambition proceeds no further, than, as neighbours and attendants, to take possession of the porch before the church. Again, in another place, speaking of the same matter,[43] At Constantinople, they that wear the diadem take it for a favour to be buried, not close by the apostles, but in the porch without the church, and kings are the fishermen's door-keepers. Thus also Theodosius senior, and Arcadius, and Theodosius junior, are said by some historians[44] to be buried. Which is probable enough, though the ancient historians, Socrates, Sozomen, and Theodoret, say nothing of it. Hitherto then, for five hundred years, we see, the generality of Christians were still buried without the city, and only kings and emperors allowed to be buried within the city; and yet this not in the church, but only in the *atrium*, or church-yard, or in the porch, or other outer buildings of the church.

Sect. 7. Then the people in the sixth century began to be admitted into the church-yards, but not into the church.

In the beginning of the sixth century the people also seem to have been admitted to the same privilege of being buried in the *atrium*, or church-yard before the church; but still they were forbidden, by laws both ecclesiastical and civil, to bury in the church. For Justinian, in his new Code, dropping the former part of Theodosius's law, which obliged all people to bury without the city, still retains the latter clause,[45] which forbids men to be buried in the seats of the martyrs and apostles. And about the year 563, the first council of Braga in Spain allows[46] men to be buried, if need require, in the church-yard under the walls of the church, but utterly forbids any to be buried within; giving this reason for it, That the cities of France still retained the ancient privilege firm, to suffer no dead body to be buried within the walls of the city; and therefore it was much more reasonable that this respect should be paid to the venerable martyrs. We may conclude hence, as we have done before, that at this time in France they were so far from allowing burials in the church, that as yet they did not suffer any corpse to be buried in the church-yard, no, nor any where within the walls of the city. But some time after, about the year 658, or 695, when the council of Nantes was held, (chronologers are not exactly agreed about the time,) the people of France were also permitted to bury in the church-yard,[47] or in the porch, or in the *exedræ* or outer buildings of the church, but not within the church itself, and near the altar where the body and blood of Christ is consecrated. This rule is again repeated in the council of Arles[48] and the council of Mentz,[49] held anno 813, in the time of Charles the Great, out of which that emperor made a rule in his Capitulars[50] to the same purpose. Not to insist upon the uncertain canon of the Concilium Varense, as it is called in Gratian,[51] which is a repetition of the canon of Nantes; we may add to these the rule made in the council of Tribur,[52] another synod in the time of Charles the Great: Let no layman for the future be buried in the church; yet such bodies as are already buried there may not be cast out, but the pavement shall be so made over the graves, that no footstep of a grave shall appear. And if this cannot without great difficulty be done for the multitude of corpses lately buried there, let the place be turned into a *polyandrium* or cemetery, and let the altar be removed thence, and set in some other place, where the sacrifice may be religiously offered to God. While these laws were thus made in the West, giving men liberty to bury in cities and church-yards, but still restraining them in a great measure from burying in churches; Leo Sapiens in the East, about the year 900, abrogated all the old laws against burying in cities, and left men at perfect liberty to

[41] Euseb. Vit. Constant. lib. 4. cap. 71.

[42] Chrys. Hom. 26. in 2 Cor. p. 929.

[43] Id. lib. Quod Christus sit Deus, cap. 8. t. 5. p. 839.

[44] Niceph. lib. 14. cap. 58.

[45] Cod. Just. lib. 1. Tit. 2. de Ecclesiis, Leg. 2. Nemo apostolorum vel martyrum sedem humandis corporibus existimet esse concessam.

[46] Conc. Bracar. 1. can. 36. Corpora defunctorum nullo modo intra basilicam sanctorum sepeliantur, sed, si necesse est, deforis circa murum basilicæ usque adeo non abhorret. Nam si firmissimum hoc privilegium usque nunc retinent civitates Galliæ, ut nullo modo intra ambitum murorum cujuslibet defuncti corpus sit humatum, quanto magis hoc venerabilium martyrum debet reverentia obtinere?

[47] Conc. Nannetens. can. 6. Prohibendum est etiam secundum majorum instituta, ut in ecclesia nullatenus sepeliantur, sed in atrio aut in porticu, aut in exhedris ecclesiæ. Intra ecclesiam vero et prope altare, ubi corpus et sanguis Domini conficitur, nullatenus sepeliantur.

[48] Conc. Arelat. 3. can. 21. De sepeliendis mortuis in basilicis illa constitutio servetur, quæ ab antiquis patribus constituta est.

[49] Conc. Moguntiac. can. 52. Nullus mortuus infra ecclesiam sepeliatur, &c.

[50] Carol. Capitular. lib. 1. cap. 159. ap. Lindenbrog. Leg. Antiq. Nullus deinceps in ecclesia mortuum sepeliat.

[51] Gratian. Caus. 13. Quæst. 2. cap. 15.

[52] Conc. Tribur. can. 17. Præcipimus ut deinceps nullus laicus in ecclesia sepeliatur, &c. Corpora antiquitus in ecclesia sepulta nequaquam projiciantur, &c.

bury within the walls or without the walls of any city;[53] but still says nothing of any licence to bury in churches. So that it is evident beyond all contradiction, that hitherto there was no general licence granted by any laws, in any part of the world, authorizing all sorts of persons to bury in churches without distinction, but many of the laws in this interval run peremptorily and universally against it.

Sect. 8. And in this period of time, kings, bishops, founders of churches, and other eminent persons were by some laws allowed to be buried in churches.

Yet some laws within this period of time were made with some limitations and exceptions in the case of great and eminent persons, such as kings, and bishops, and founders of churches, and presbyters, and such of the laity as were singularly conspicuous and honourable for their exemplary sanctity and virtue. The council of Mentz, mentioned before, qualifies the general prohibition with this exception; saying, None shall be buried in the church, except bishops, and abbots, and worthy presbyters,[54] and faithful laymen. And the council of Tribur,[55] only forbidding laymen to be buried in the church, may be supposed to allow it to the clergy. And this honour was paid to bishops and emperors for some time before. For Socrates says,[56] Proclus removed the body of St. Chrysostom from Comanæ to Constantinople, and laid it in the church of the apostles. And Evagrius speaks[57] of it as customary to bury the emperors and clergy in the church of the apostles built by Justinian at Constantinople. This honour likewise was paid to founders of churches: they were allowed to be interred in their own structures; as Sozomen[58] says the wife of one Cæsarius was buried in the church near the *ambon* or reading-desk, because her husband had been the founder of it. And Valesius thinks that Constantine was therefore buried in the church of the apostles, because it was built by him. So he had a double title to this privilege, both as emperor and founder. But we may observe a difference between Constantine's age and this. In Constantine's time an emperor and a founder was buried only in the porch; but in the time of Sozomen any ordinary founder might be buried in the middle of the church.

Sect. 9. The matter at last left to the discretion of bishops and presbyters, who should or should not be buried in churches. Hereditary sepulchres not yet allowed in the ninth century, put brought in by the pope's decretals.

Thus the thing went on from one degree to another, taking various steps and motions, partly by permission and relaxation of the laws, and partly by transgression of the laws and connivance in those who had the execution of them. And the matter at last was left in a great measure to the discretion of bishops and presbyters, to determine who should or should not be buried in churches, according to the merit and desert of the persons who desired it. In the ninth century, in France, some families began to set up a claim to hereditary sepulchres in the church. But this was opposed, and the council of Meaux, anno 845, made an order, That no one should pretend to bury any corpse in the church upon hereditary right,[59] but the bishops and presbyters should judge who were worthy of this favour, according to the quality of their life and conversation. And after this we find some laws made in general against burying in churches. As that of the council of Winchester,[60] under Lanfranc, archbishop of Canterbury, anno 1076: Let no bodies of the dead be buried in churches. But so many exceptions had been made to the old laws, that it was no hard matter for any one who had ambition, or superstition enough to think that he should be much benefited in his death by being buried in the church, to obtain this privilege. And these two reasons opened the way to greater liberties by far than the ancient canons had allowed; for an opinion that it was of great service to men's souls to be buried in the church, made men more eager than ever to obtain this privilege at their death. And Pope Leo III. had made a decree, which Gregory IX. inserted into his Decretals,[61] giving a sort of hereditary right to all persons to be buried in the sepulchres of their ancestors, according to the example, as it is said, of the ancient patriarchs. This was about the year 1230. Not long after which Boniface VIII.[62] speaks of it as a customary thing for men to be buried in the church in the sepulchres of their ancestors. So that from these Decretals, I think, may be dated the ruin of the old laws; for they took away that little power that was left in the hands of bishops to let people bury in the church, or not bury, as they should judge proper in their discretion, and put the right and possession of burying-places in the church into the hands of private families. And others, who had

[53] Leo, Novel. 53. Ne igitur ullo modo inter civiles leges hæc lex recenseatur, sancimus; quin potius, ut a consuetudine recte contemnitur, sic etiam decreto nostro prorsus reprobatur. Quicunque autem sive extra muros, sive intra civitatem sepelire mortuos volet, perficiendæ voluntatis facultatem habeto.

[54] Conc. Moguntiac. can. 52. Nullus mortuus intra ecclesiam sepeliatur, nisi episcopi, aut abbates, aut digni presbyteri, aut fideles laici.

[55] Conc. Tribur. can. 17. ut supra.

[56] Socrat. lib. 7. cap. 45.

[57] Evagr. lib. 14. cap. 31.

[58] Sozom. lib. 9. cap. 2.

[59] Conc. Meldens. can. 72. Ut nemo quemlibet mortuum in ecclesia, quasi hereditario jure, nisi quem episcopus et presbyter pro qualitate conversationis et vitæ dignum duxerit, sepelire præsumat.

[60] Conc. Winton. an. 1076. can. 9. Conc. t. 10. p. 352. In ecclesiis corpora defunctorum non sepeliantur.

[61] Gregor. Decretal. lib. 3. Tit. 28. de Sepulturis, cap. 1. Statuimus unumquemque in majorum suorum sepulchris jacere, ut patriarcharum exitus docet.

[62] Sext. Decretal. lib. 3. Tit. 12. de Sepulturis, cap. 2. Cum quis cujus majores sunt soliti in aliqua ecclesia sepeliri ab antiquo, &c.

no such right, being led by their ambition or superstition, could then easily purchase a right to be buried in the church, which was a thing that emperors themselves did not pretend to ask in former ages. I have been the more curious in deducing the history of this matter from first to last, because the innovation has been thought a grievance to some very learned and judicious men, and what they could have wished to have seen rectified at or since the Reformation. This custom, says the learned Rivet,[63] which covetousness and superstition first brought in, I wish it were abolished with other relics of superstition among us; and that the ancient custom was revived, to have public burying-places in the free and open fields without the gates of cities. This would be more convenient for civil uses also; because in close places the air cannot but be affected with the nauseous smell of dead bodies: there is no good done by it to the dead, and the living are in manifest danger by it, especially in the time of contagious distempers, when infected bodies are promiscuously buried in churches, wherein men daily meet and assemble together: A thing, says he, which, not without reason, has ever appeared horrible to me and many others. The like complaint is made by some among the Romanists, particularly by Durantus,[64] who was an eminent lawyer, and president of the parliament of Tholouse. He commends the piety of the ancients for not allowing the dead to be buried in the church, and Charles the Great for reviving and restoring the primitive institution, when it had been in some measure neglected; and, withal, speaks it with great regret, that whereas heretofore emperors were buried only in the church-porch, now the custom is to let the meanest of the people commonly be buried in the church itself, against the laws and institutions of the ancient Christians: to which, after this digression, I must now return again.

CHAPTER II.

SOME OTHER OBSERVATIONS CONCERNING THE PLACE, AND MANNER, AND TIME OF BURYING.

Sect. 1. Consecration of cemeteries not very ancient.

HAVING thus far considered in general the place of burying, I now proceed to some more particular observations concerning the place, and manner, and time of burying among Christians. And here the first question may be, whether they used any formal consecration of their cemeteries, as they did of their churches? Now, concerning this, in the first ages there is a perfect silence. No writer before Gregory of Tours, who lived about the year 570, makes any mention of it. But he says,[1] The burying-places in his time were used to be consecrated by sacerdotal benediction. Durantus[2] can trace the custom no higher, and therefore we may conclude, that about this time, and not before, it became the practice of the church; for the sacredness of sepulchres, that we so often read of before this, was from another reason, and not from their formal consecration.

Sect. 2. The sacredness of them arising from another reason, and not from their formal consecration.

For the heathens themselves were used to reckon these places sacred, and the violation of them a sort of sacrilege and violation of religion. As appears from the edicts of two heathen emperors, Gordian and Julian, which are still retained among the Christian laws. Gordian[3] calls them things destined for religion, and things made a part of religion, and therefore orders, that all robbers of graves should be prosecuted as criminals guilty of an injury done to religion. In like manner Julian[4] says, The graves of the dead are consecrated hills, and to move a stone hence, or disturb the ground, or break a turf, has always been accounted next to sacrilege by our forefathers: to steal away the ornaments from the tables or porticos of graves, is a piacular crime and violation of religion, to be punished as doing injury to the dead. Justinian, in repeating this law of Julian in his Code,[5] instead of *pœna manium*, reads it *pœna sacrilegii cohibentes*, inflicting both the name and punishment of sacrilege expressly upon this crime. And so the ancient poet does in that distich:

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[63] Rivet. in Gen. xlvii. Exercit. 172. p. 842. Hunc morem, quem invexit avaritia et superstitio, valde vellem apud nos cum aliis superstitionis reliquiis esse abolitum, &c. Grotius, in Luc. vii. 12, makes a like complaint. Quod in memoriam martyrum olim inductum, nescio an satis sapienter retineatur.

[64] Durant. de Ritibus Eccles. lib. 1. cap. 23.

[1] Greg. Turon. de Gloria Confessor. cap. 106.

[2] Durant. de Ritibus, lib. 1. cap. 23. n. 9.

[3] Cod. Justin. lib. 9. Tit. 19. de Sepulchro Violato, Leg. 1. Res religioni destinatas, quinimo jam religionis effectas, scientes qui contigerint, et emere et distrahere non dubitaverint, læsæ religionis inciderunt in crimen.

[4] Cod. Theod. lib. 9. Tit. 17. de Sepulchris Violatis, Leg. 5. Pergit audacia ad busta diem functorum et aggeres consecratos: cum et lapidem hinc movere, terram sollicitare, et cespitem vellere, proximum sacrilegio majores semper habuerint: sed ornamenta quidam tricliniis aut porticibus auferunt de sepulchris. Quibus primis consulentes, ne in piaculum incidant, contaminata religione Lustorum, hoc fieri prohibemus, pœna manium vindice cohibentes.

[5] Cod. Just. ubi supra, Leg. 5.

Res ea sacra, miser, noli mea tangere fata:
Sacrilegæ bustis abstinuere manus.

Touch not my monument, thou wretch, it is a sacred thing: even sacrilegious hands commonly abstain from offering violence to the habitations of the dead. All which shows, that graves and burying-places were reckoned sacred things, both by heathens and Christians, without any formal consecration: and the Romans accounted it a piece of impiety in any case to disturb or violate the ashes of the dead, except it were those of their public enemies, whose graves were not reckoned sacred, as Paulus[6] the great lawyer determined; and therefore it was lawful for any one to take the stones of such graves and turn them to any other use, and no action of violating sepulchres could be brought against them.

Sect. 3. The way of adorning graves, different among heathens and Christians.

But in all other cases, the graves of the dead were places of great sacredness, and, consequently, places of great security; insomuch, that they were reckoned safe repositories, not only for the dead, to secure them from violence, but also for any ornaments that were set about them, or riches, that, together with the dead, were often buried with them. For the Romans often adorned their monuments with rich pillars of marble, and fine statues and images set about them. As appears from several laws in the Theodosian Code,[7] which are made to restrain the pillagers of them; and also from great variety of Roman writers, which Gothofred[8] mentions and alleges in his comment upon one of those laws, as Pliny, Cicero, Aggenus, Propertius, Servius, and Eutropius, who gives a particular account of Trajan's pillar, which was one hundred and forty feet high. The two Antonines, indeed, laid some restraint upon the excessive vanity and profuseness of the Romans in this matter, making severe laws against extravagance in burying, and building of sepulchres, as Julius Capitolinus[9] informs us: but this did not hinder men from adorning their monuments with marble statues and pillars, and such like common ornaments, as we afterwards find allowed in one of the laws of Gordian, in the Justinian Code.[10] So that these monuments of the heathen were often very pompous and magnificent, both in building and ornament, which frequently made them become a prey and spoil to rapacious invaders. But we can hardly suppose this of any Christian sepulchres for the first three hundred years. Caius, an ancient writer and presbyter of the church of Rome about the year 210, speaks of the trophies and monuments[11] of St. Peter and St. Paul, which were then to be seen, the one in the Vatican in the Via Triumphalis, and the other in the Via Ostiensis: but these trophies were not so magnificent, whatsoever they were, but that afterwards, about the year 258, they were translated by Pope Xystus[12] into the catacombs, for fear of some indignity that might be offered to them in the heat of persecution. The most that we can suppose is, that they were grave-stones, with an inscription, declaring their names and character, and the time and manner of their death. And some of them, we are sure, were not so much as this. For sometimes great multitudes of martyrs were buried in one common grave, and then the inscription contained only the number, and not the names, or any particular account of them. Prudentius[13] says, He had observed one such grave wherein sixty martyrs were buried together. St. James's monument, at Jerusalem, was no more than a pillar,[14] or grave-stone, with an inscription. And in after ages the Christians were not very fond of erecting stately monuments before they came to bury in churches; for they had observed what spoil and ravagement had been made of the heathen monuments, and how many laws the emperors were forced to make against the violation of sepulchres: which made many pious Christians think how much better and safer it was to build themselves monuments in their lifetime by liberality to the poor, than to build stately and costly monuments for thieves and robbers to plunder at their pleasure. Thus St. Jerom says of Paula, That she gave all her substance to the poor, and wished not to have any thing at her death, but that she might be beholden for a winding-sheet to the charity of others. And Ephrem Syrus left it upon his will, That nothing should be expended upon his funeral; but whatever should be appointed for that, should be given to the poor; as Gregory Nyssen[15] reports in the Life of that great saint and luminary of the Eastern church.

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[6] Digest. lib. 47. Tit. 12. de Sepulchro Violato, Leg. 4. Sepulchra hostium nobis religiosa non sunt; ideoque lapides inde sublatos in quemlibet usum convertere possumus: non sepulchri violati actio competit.

[7] Cod. Theod. lib. 9. Tit. 19. de Sepulchris Violatis, Leg. 2 et 4.

[8] Gothofred. in Leg. 2. ibid.

[9] Capitolin. Vit. Marci Antonini, p. 78. Tunc Antonini leges sepeliendi, sepulchrorumque asperrimas sanxerunt: quandoquidem caverunt, ne uti quis vellet fabricaret sepulchrum: quod hodieque servatur.

[10] Cod. Justin. lib. 3. Tit. 44. de Religiosis et Sumptibus Funerum, Leg. 7. Statuas sepulchro superimponere, vel monumento ornamenta superaddere non prohiberis: cum jure suo eorum quæ minus prohibita sunt, unicuique facultas libera non denegetur.

[11] Ap. Euseb. lib. 2. cap. 25.

[12] Depositio Martyrum, ap. Pearson. Annal. Cyprian. p. 62. Tertio kalendas Julii, Petri in catacumbas, et Pauli Ostiense, Tusco et Basso Coss.

[13] Prudent. Peri Stephan. Hymn. 4. de Hippolyto. Quorum solus habet comperta vocabula Christus.

[14] Euseb. lib. 2. cap. 23. calls it στήλη; and St. Jerom, titulus, de Script. Eccles. cap. 2.

[15] Nyssen. Vit. Ephrem. t. 3. p. 613

And St. Basil exhorts rich men in general[16] rather to expend their superfluities in works of piety, than to build themselves costly sepulchres. For what need have you of a sumptuous monument, or a costly entombing? What advantage is there in a fruitless expense? Prepare your own funeral whilst you live. Works of charity and mercy are the funeral obsequies you can bestow upon yourself.

Sect. 4. They differed also in the manner of burying: the heathens commonly burning the body, and putting the bones and ashes in urns; but the Christians buried the body whole in the earth, abhorring the heathen custom.

Another difference between heathens and Christians was in the manner of burying. For the heathen for the most part burned the bodies of the dead in funeral piles, and then gathered up the bones and ashes and put them in an urn above-ground: but the Christians abhorred this way of burying; and therefore never used it, but put the body whole into the ground; or if there was occasion for any other way of burying, they embalmed the body, to lay it in a catacomb, that it might not be offensive to them in such places, where they were sometimes forced to hold their religious assemblies. That the Christians used the plain and simple way of inhumation, and not burning, is evident from the objection of the heathen in Minucius:[17] They abhor funeral piles, and condemn burning by fire, for fear it should hinder their resurrection. To which the Christian answers: We do not,[18] as ye suppose, fear any detriment from burying (by fire), but we retain the ancient custom of inhumation as more eligible and commodious. The same is evident from Tertullian, who says, Some of the heathen abstained from burning upon a superstitious[19] notion, that the soul hovered over the body after death; and therefore they would not burn the body, out of a needless compassion to the soul. But, says he, our reason is piety and humanity to the body, not flattering it as the relics of the soul, but abhorring cruelty in respect to the body itself, forasmuch as no man deserves to be destroyed by a penal death. In another place[20] he derides the heathens for their contradictory customs, first in burning the body with great barbarity, and then making feasts and sacrifices at their graves by way of parentation, as they called it: which was to make the same fires both oblige them and offend them; to show themselves cruel under the pretence of piety, and insult them by making feasts in behalf of those whom they had burnt before. The critics are not agreed when or by what means this custom of burning was laid aside by the Romans. Some think it was forbidden by the two Antonines in their severe laws about funerals, mentioned before: but Gothofred and others, not without reason, think this a mistake; because not only Tertullian derides it as still customary among the heathen, but also because there is some intimation given in one of Theodosius's laws, that there were some remains of it even in his time: for he speaks of both customs, that is, of burying not only whole bodies in coffins underground, but also[21] of burying in urns above-ground; which supposes the body to be burnt before, and the remains only, the bones and the ashes, to be put in an urn and kept above-ground. However, it is certain, that this custom was quite worn out even among the heathen within the space of forty years after. For Macrobius, who lived in the time of the younger Theodosius, about the year 420, says expressly,[22] That the use or custom of burning the bodies of the dead was quite left off in that age, and all that he knew of it was only from ancient reading. It is most probable, that the heathen custom altered by degrees from the time of Commodus the emperor; for Commodus himself and many of his friends were buried by inhumation, and not by burning, as a learned person[23] observes out of Xiphilin: and from that time the custom of burning might decrease, till at last, under the Christian emperors, though without any law to forbid it, the contrary custom entirely prevailed, and this quite dwindled into nothing. But the Christians were always very tenacious of the plain way of burying by inhumation, and never would consent to use any other; reckoning it a great piece of barbarity in their persecutors, whenever they denied them this decent interment after death, as they sometimes did, either by exposing their bodies to the fury of wild beasts and birds of prey, or burning them in scorn and derision of their doctrine of a future resurrection. Thus, Eusebius[24] says, out of the epistle of the church of Smyrna, they treated Polycarp at the instigation of the Jews, burning his body, according to their own custom, after which the Christians were content to gather up his bones and bury them. And so they treated the martyrs of Lyons and Vienna in France, to the

[16] Basil. Hom. in Divites, t. 1.

[17] Minuc. p. 32. Inde videlicet et execrantur rogos, et damnant ignium sepulturas.

[18] Ibid. p. 101. Nec ut creditis, ullum damnum sepulturæ timemus, sed veterem et meliorem consuetudinem humandi frequentamus.

[19] Tertul. de Anima, cap. 51. Et hoc enim in opinione quorundam est: propterea nec ignibus funerandum aiunt, parcentes superfluo animæ. Alia est autem ratio pietatis istius, non reliquiis animæ adulatrix, sed crudelitatis etiam corporis nomine aversatrix, quod et ipsum homo non utique mereatur pœnali exitu impendi.

[20] Id. de Resur. cap. 1. Ego magis ridebo vulgus, tunc quoque quum ipsos defunctos atrocissime exurit, quos postmodum gulosissime nutrit, iisdem ignibus et promerens et offendens. O pietatem de crudelitate ludentem!

[21] Cod. Theod. lib. 9. Tit. 17. de Sepulchris Violatis, Leg. 6. Omnia quæ supra terram urni sclausa, vel sarcophagis corpora detinentur, extra urbem delata ponantur, &c.

[22] Macrob. Saturnal. lib. 7. cap. 7. Licet urendi corpora defunctorum usus nostro seculo nullus sit, &c.

[23] Burnet, Travels, Let. 4. p. 210. [24] Euseb. lib. 4. cap. 15

great grief of the Christians, whom they would not allow to bury them, but for six days together kept them above-ground, and then burned their bodies, and cast their ashes into the river Rosne, in despite to their belief of a resurrection; crying out, Now let us see whether they will rise again, and whether their God is able to deliver them out of our hands: as the same Eusebius[25] relates the story out of The Acts and Monuments of their Passion. Thus Maximus the president threatened Tharacus the martyr,[26] That though he raised himself upon the confidence that his body after death should be embalmed and buried, he would defeat his hopes by causing his body to be burnt, and sprinkling his ashes before the wind. And it were easy to give other examples of the like usage of them upon such occasions, some of which are related by the heathen historian[27] himself, not without some resentment and reflection upon the unnatural cruelty and inhumanity of such proceedings.

Sect. 5. Embalming of bodies much used by Christians. And why more by them than the heathens.

From the last instance of the president's threatening the martyr Tharacus, that he should not be embalmed, it were easy to infer, that the custom of Christians was to bestow the honour and charge of embalming commonly upon their martyrs at least, if not upon others. But the custom seems to have been more general; for the heathen in Minucius[28] makes it a matter of reproach to Christians universally, That they would make use of no odours for their bodies whilst they lived, but reserved all costly ointments for their funerals. And Tertullian seems to intimate,[29] that the preparation of the body for its funeral with odoriferous spices was the general practice of Christians. It is true, says he, we buy no frankincense; but if Arabia complains of this, let the Sabeans know, that more of their costly wares is spent in burying of Christians, than the heathens spend in their temples in offering incense to their gods. One of the chief ingredients in this unction of the body or embalming was myrrh: whence Prudentius, alluding to the custom,[30] says, The Sabean myrrh anointing the body, by its medicinal virtue preserves it from corruption. This was the particular use and virtue of myrrh, as Grotius[31] observes out of Pliny. And therefore he tells us further out of Herodotus[32] also, that the Eastern nations were wont to make use of myrrh to embalm the bodies of the dead. And that the Jews used an unction as a preparation for burial, is infallibly certain in general both from the testimony of our Saviour given to the woman who anointed his body to the burial, and also from what St. John says in particular of Joseph of Arimathea, and Nicodemus, that they "brought a mixture of myrrh and aloes, about a hundred pound weight, and took the body of Jesus, and wound it in the linen clothes with the spices, as the manner of the Jews is to bury," John xix. 39. From hence most probably the Christians took their intimation of paying the same respect to the bodies of the dead. The ancients also were of opinion, that there was something mystically denoted in the presents made by the wise men to our Saviour at his birth, when they presented him with gifts, gold, frankincense, and myrrh: gold, as to a king; frankincense, as to God; and myrrh, as to a man that must die and be buried. For though they might intend none of these things, yet the Holy Ghost might direct these presents to be such as might signify all these things without their knowledge; as he directed Mary's anointing of Christ to his burial; for so our Lord himself was pleased to interpret and accept it, though perhaps that was not particularly in her intention. It is certain this was the general notion of the ancients concerning the myrrh presented to our Saviour; as Maldonat,[33] from Irenæus, Cyprian, Origen, Basil, Gregory Nyssen, Chrysostom, Ambrose, Austin, Jerom, Juvencus, and Sedulius. And the opinion seems to have taken its original from the practice of the Eastern countries in using myrrh in the preparation of dead bodies for their burial. And this concurring exactly with the Jewish custom and our Saviour's manner of burial, might probably the more incline the ancients to be curious in using the same preparation of dead bodies for their funeral. But they had also a further reason for it: for they were often obliged to bury their dead in those places where they were to assemble for Divine service; and in that case it was necessary that they should use embalming, to preserve the bodies from corruption, and make those places to be the less offensive: as I find a late ingenious writer is also inclined to think[34] in his reflections on this subject. Now, the heathens having generally another way of burying, this custom was of no use among them; for it was incongruous to use methods to preserve the body from corruption, which they intended immediately to destroy by fire and reduce to ashes in a funeral pile.

[25] Euseb. lib. 5. cap. 1.

[26] Acta Tharaci, ap. Baron. an. 290. n. 21.

[27] Ammian. Marcellin. lib. 22. p. 241. Vid. Socrat. lib. 3. cap. 1. Euseb. lib. 8. cap. 6.

[28] Minuc. p. 35. Non corpus odoribus honestatis: reservatis unguenta funeribus.

[29] Tertul. Apol. cap. 42. Thura plane non emimus. Si Arabiæ queruntur, sciant Sabæi pluris et carioris suas merces Christianis sepeliendis profligari, quam diis fumigandis. Vid. de Idololatria, cap. 11. Et Acta Euplii, ap. Baronium, an. 303. n. 149.

[30] Prudent. Cathemerin. Hymn. de Exequiis defunctorum. Aspersaque myrrha Sabæo corpus medicamine servat.

[31] Grot. in Matt. ii. 11.

[32] Herodot. lib. 2.

[33] Maldon. in Matt. ii. 11.

[34] Reeve's Apolog. Not. on Minucius, p. 76.

These things were plainly contradictory to one another; and therefore, as the Roman heathens made no use of embalming, so we may reckon this another difference between the Christian funerals and those of the heathens.

Sect. 8. The Christians usually buried by day the heathens by night.

There was one difference more in point of time. For the heathens commonly performed their funeral obsequies by night; but the Christians, when they had liberty, and could do it with safety, always chose the day. In times of persecution, indeed, it is reasonable to suppose, they might often be forced to celebrate their funeral offices, as they did others, in the security and silence of the night, to avoid the rage of their enemies. As we find an example in the passion of Cyprian,[35] whose body, because of the curiosity of the Gentiles, is said to be buried secretly in the night with lamps and torches. And yet even this was not always the case in those difficult times: for the judges were often better natured, than to deny them the common right and civility of burying, which they themselves thought was a debt due to human nature in general; and therefore, whatever other cruelties they exercised toward Christians, they ordinarily gratified them in suffering them to bury the martyrs whom they had slain; as is evident from several of their acts or histories of their passions:[36] in which case there was no need to fly to the favour and security of the night, but they might bury, as they often did, in the open day. Thus, when Polycarp was burnt, the disciples afterward were permitted quietly[37] to gather up his bones and relics, and bury them as they pleased. And Asturius, a Roman senator, is famed[38] for carrying Marinus on his own shoulders from the place of his martyrdom to his grave.

But however this matter stood in times of persecution, it is certain, that as soon as Constantine came to the throne, Christians chose to perform their funeral rites openly in the day: which they did all the time of Constantine and Constantius; at which Julian the apostate was so highly offended, that he set forth an edict on purpose to forbid it, which is a certain evidence in the case. We understand, says he, that the bodies of the dead[39] are carried to their graves with great concourse of people, and multitudes to attend them: which is an ominous sight, and a defilement to the eyes of men. For how can the day be auspicious that sees a funeral? Or how can men go thence to the gods and to the temples? Therefore, because grief in funeral obsequies rather chooses secrecy, and it is all one to the dead whether they be carried forth by night or by day, it is fit that such spectacles should not fall under the view of all the people, that true grief, and not the pomp and ostentation of obsequies, should appear in funerals. This is a plain reflection on the practice of the Christians in the two foregoing reigns. It grieved Julian to see the Christians celebrate their funerals so openly by day, and with indications of joy rather than grief; especially in their translations of martyrs, which was of the same nature with funerals, and was performed with great magnificence and expressions of joy, with psalmody and hymns to God, in a general assembly and concourse of the people. As it was particularly in the translation of Babylas from Daphne to Antioch, which happened in his time, and was one of the great grievances in his reign. For, as the historian[40] tells us, all the Christians of Antioch, men and women, young men and virgins, old men and children, accompanied the coffin all the way, having their precentors to sing psalms, at the end of every one of which the whole multitude joined by way of antiphonal response, with this versicle, "Confounded be all they that worship carved images, and that boast themselves in idols or vain gods." This they did for the space of six thousand paces or forty furlongs, even in the hearing of Julian himself; which so enraged him, that the next day he put many of them into prison, and some to extreme torture and death. And this, no doubt, was the secret reason of his enacting that law against the manner of celebrating Christian funerals; though the law itself pretends other reasons, taken from the superstitious principles of his profound philosophy and religion. His first reason is, That the very sight of a funeral by day, and much more their attendance upon it, pollutes men so, that they are not fit all that day to attend upon the service of the gods. And therefore a priest or a magistrate, by the rules of the Roman superstition, was not allowed to attend upon any funeral by day, but only by night; as Gothofred,[41] out of the best Roman writers, Servius and Donatus, Aulus Gellius, Seneca, Tacitus, and Dio, shows at large in his exposition of that law. This is a reason taken from the principles of his own superstition in religion. Another is taken from the principles

[35] Passio Cypr. p. 14. Ejus corpus propter Gentilium curiositatem in proximo positum est cum cereis et scolacibus.

[36] Passio Maximiliani, ad calcem Lact. de Mort. Persec. p. 46. Pompeiana matrona corpus ejus de judice meruit et imposuit dormitorio suo, &c.

[37] Euseb. lib. 4. cap. 15. [38] Ibid. lib. 7. cap. 16.

[39] Cod. Theod. lib. 9. Tit. 17. de Violandis Sepulchris, Leg. 5. Efferri cognovimus cadavera mortuorum per confertam populi frequentiam, et per maximam insistentium densitatem: quod quidem oculos hominum infaustis infestat aspectibus. Qui enim dies est bene auspicatus a funere? aut quomodo ad deos et templa venietur? Ideoque quoniam et dolor in exsequiis secretum amat, et diem functis nihil interest, utrum per noctes an per dies efferantur, liberari convenit populi totius aspectus, ut dolor esse in funeribus, non pompa exsequiarum, nec ostentatio videatur.

[40] Socrat. lib. 3. cap. 18. Sozomen. lib. 5. cap. 19. Ruffin. lib. 1. cap. 35. Theodor. lib. 3. cap. 10.

[41] Gothofred. in dict. Leg. Juliani.

of his philosophy, of which he pretended to be a great master; namely this, That the secrecy and silence of the night was fitter for sorrow, than the pomp and ostentation of the day, as he called it. A third reason was, That it was all one to the dead, whether they were buried by night or by day; and therefore it was more commodious to bury by night for the sake of the living, who by nocturnal funerals could not be polluted or offended. But the Christians despised these reasons, both as unphilosophical, and ridiculous and irreligious. As to the first, they knew no pollution arising from the attendance on a dead body or a funeral. The bodies of Christians were the members of Christ, both alive and dead; and they owned no defilement in accompanying such to their graves, who were there only laid asleep and at rest, as candidates of the resurrection. Whatever the Gentile theology might teach, they were fully persuaded that the dead were in the communion of saints still, and as such might be communicated with and attended without any moral defilement or pollution. And for his second reason from philosophy, That the night is more convenient for sorrow, while the day only serves for pomp and ostentation; this was no argument to them, who were taught not to give way to excessive sorrow for the dead, nor to sorrow as others without hope for them that were only fallen asleep: for Christian mournings had also a mixture of joy and comfort in them: their funeral pomp was chiefly psalmody and praises, with which they conducted the deceased party to the grave; and such a pomp as that had nothing of ostentation in it; it served only to provoke the living to holiness and virtue, to be mindful of death, and to make a good preparation for it; and therefore was proper to be exhibited in open view, in the eyes of all the people, in the most public manner, among crowds of spectators and a general concourse. For all which the day was far more convenient than the night, the design of their funerals being to be seen of all the people. And therefore, since it was an indifferent thing to the dead whether they were buried by day or by night, (which was his third reason,) the Christians chose the day for such solemnities, as being much more proper for the living, whose advantage herein was chiefly regarded.

And upon these reasons the Christians continued to perform their funeral obsequies by day, notwithstanding Julian's inhibition or reasons to the contrary. Gothofred thinks, that from this time there is no instance of their burying by night: against which, he says, there is nothing to be alleged but one passage in St. Ambrose, which seems to speak[42] still of funerals by night; for writing to widows, he bids them consider, whether marrying again, and being conducted home with torches in the night, would not look as much like a funeral as a marriage? But Gothofred says, this is not any account of fact, or what was then practised, but only an allusion to the ancient custom of using torches both at marriages and funerals, according to that of the poet, *Vivite felices inter utramque facem*, which was the common acclamation of the people to the new-married couple, Live happy all your lives between your marriage torch and your funeral torch. But I am not sure that this is a good answer, because there are other undeniable evidences, in fact, of Christians burying with lamps and torches attending the funeral. And, therefore, some other account seems necessary to be given of it; and it may be this; that the Christians, even when they buried by day, used sometimes to carry lighted torches in the procession of the funeral, as a demonstration of joy; which they also did upon some other occasions. For St. Jerom says,[43] In all the churches of the East, when the gospel was to be read, they lighted candles in the day-time, not to drive away the darkness, but to give a demonstration and testimony of their joy for the good news which the gospel brought, and by a corporeal symbol to represent that light of which the psalmist speaks, "Thy word is a lamp to my feet, and a light unto my paths." And therefore it is not improbable but that they might use the same ceremony in their funerals by day, and for the same reason, to demonstrate their joy, rather than sorrow like the heathens. In fact it is evident beyond dispute, that they did use lighted torches at their funerals; and yet no intimation is given that their funerals were by night. Nazianzen, speaking of the obsequies of his brother Cæsarius,[44] says expressly, That his mother carried a torch in her hand before his body at his funeral. St. Jerom says the bishops[45] of Palestine did the like at the funeral of the famous Lady Paula; Some of them, in honour to her, carried her body to the grave, and others went before the corpse with lamps and torches in their hands. Gregory Nyssen gives the same account of the funeral of his sister Macrina,[46] that the clergy went before the corpse, carrying lighted torches in their hands. And Theodoret,[47] speaking of the translation of Chrysostom's

[42] Ambros. de Viduis. Cum accensis funalibus nox ducitur, nonne pompæ funeris exequias magis putat quam thalamum præparari?

[43] Hieron. cont. Vigilant. cap. 3. Per totas Orientis ecclesias, quum legendum est evangelium, accenduntur luminaria jam sole rutilante, non utique ad fugandas tenebras, sed ad signum lætitiæ demonstrandum, &c.

[44] Naz. Orat. 10. in Cæsarium, t. 1. p. 169.

[45] Hieron. Ep. 27. ad Eustoch. in Epitaph. Paulæ. Translata episcoporum manibus, et cervicem feretro subjicientibus, cum alii pontifices lampadas cereosque præferrent

[46] Nyssen. Vit. Macrinæ, t. 2. p. 201.

[47] Theod. lib. 5. cap. 36.

body from Comanæ to Constantinople, says, There was such a multitude of people met him in ships in his passage over the Bosphorus, that the sea was even covered with lamps. St. Chrysostom[48] himself speaks also of the use of lamps in their funerals. And in one of Justinian's Novels[49] the acolythists are forbidden to exact any thing for their torches, because at Constantinople they were allowed for funerals out of the public fund, which was there provided for the interment of the dead. These are not bare allusions to an ancient custom, but plain accounts of fact, which either prove that Christians celebrated some of their funerals by night, or else that they used lighted torches by day; as some of the testimonies seem to intimate: for Chrysostom says, they used their lights before the dead to signify that they were champions or conquerors, and, as such, conducted in triumph to their graves. And thus far Gothofred's opinion may be admitted, that the Christians generally celebrated their funerals by day; but then this must be added to it, that they used lamps and torches lighted in the day, to express their joy, and signify their respect and honour to the deceased as a victorious combatant, who had conquered this world here below, and was now gone to take possession of a better world above. If any weight could be laid upon the uncertain authority of the writer of the Life of St. German, bishop of Auxerre in Surius, it would put the matter out of dispute; for he says[50] the multitude of lights used at his funeral seemed to outdo the sun, and beat back its rays at noon-day. But without this uncertain testimony, enough has been said to show the difference between the custom of the heathens burying by night and the Christians burying by day, which is the principal thing I intended in this part of my discourse. I only add one thing by way of confirmation, that the Christians in this age generally celebrated the eucharist at their funerals, which is a service belonging to the day, and not the night; and to the morning part of the day, and not the afternoon. Whence in one of the councils of Carthage we find an order, that if any commendation of the dead was to be made in the afternoon, it should be performed only with prayers, and not the celebration of the eucharist; which is a certain argument, that their funerals were then generally by day, since the funeral office was in a manner appropriated to the eucharistical or morning service: but of this more hereafter in its proper place.

[48] Chrys. Hom. 4. in Hebr. p. 1784.
[49] Justin. Novel. 59. cap. 5.
[50] Surius. 30. Jul. ap. Durant. de Ritib. lib. 1. cap. 23. n. 14.

CHAPTER III.

HOW THEY PREPARED THE BODY FOR THE FUNERAL, AND WITH WHAT RELIGIOUS CEREMONIES AND SOLEMNITIES THEY INTERRED IT.

Sect. 1. Christians always careful to bury the dead, even with the hazard of their lives.

Come we now to the ceremonies used in preparing the body for the funeral, and the solemnity of interring it. No act of charity is more magnified by the ancients than this of burying the dead; and therefore they many times ventured upon it even with the hazard of their lives. In times of persecution, and in times of pestilential diseases, this could not be done without great danger; and yet they never scrupled it in either case. Asturius, a Roman senator,[1] took the body of Marinus the martyr from the place of execution, and carried it on his own shoulders to the grave. And Eutychianus is celebrated in the Roman Martyrology and the Pontifical for having buried three[2] hundred and forty-two martyrs in several places with his own hands. Sometimes they ventured to steal away the bodies of the martyrs in the night, when they could not otherwise either by money or entreaties get liberty to bury them. As we learn from the epistle of the church of Lyons and Vienna in Eusebius,[3] where the brethren express their profoundest sorrow and grief because their enemies would not suffer them to bury the bodies of their martyrs. For they kept such a strict guard upon them, that they could not come at them by night to take them away; neither would money prevail, nor any solicitations move the keepers to deliver the bodies up to be buried, but they kept them six days exposed in the open air, and then burned them, and scattered their ashes in the river, that there might be no relics of them remaining upon the earth. The brethren here ventured their lives by night, to have got the bodies, if it had been possible, to have given them a decent funeral. And there want not instances in the ancient Martyrologies of some who became martyrs themselves upon this account, for their excessive charity to their brethren. The other difficult case in which they expressed an equal charity and concern, was the time when pestilential diseases raged in the world. Even in this case they would never desert their brethren while alive, nor leave them unburied after death. Dionysius, bishop of Alexandria, gives us a remarkable instance of this care[4] in that terrible plague that happened in Egypt in his time. He says, The Christians not only attended their brethren when they were sick, but also took care of

[1] Euseb. lib. 7. cap. 16.
[2] Pontifical. Vit. Eutychiani.
[3] Euseb. lib. 5. cap. 1.
[4] Ap. Euseb. lib. 7. cap. 22.

them when they were dead, closing their eyes and mouths, laying them forth, watching with them, washing their bodies, dressing them and clothing them in garments proper for their burial, and then carrying them out on their own shoulders to their graves: in doing which they often ventured so far, that in a short time it was their own lot to have the same good offices done to themselves by others.

Sect. 2. How they prepared the body for burial. First, Closing its eyes and mouth: a decent circumstance, observed by all nations.

This passage of Dionysius shows us not only the great charity of the ancient Christians in burying the dead, but also some of the lesser circumstances and ceremonies then usually observed in preparing and decently composing the body for its burial. First, he says, they were used to close its eyes and mouth as soon as it was dead. Which was a custom of decency observed by all nations, and taught them as a comely thing by nature itself. Only the Romans added another ceremony to it, which had nothing of nature, but superstition, in it; which was, as Pliny[5] describes it, to open their eyes again at the funeral pile, and show them to heaven: which, according to the Roman superstition, was as necessary to be done, as it was necessary at first to close their eyes against the sight of men. The ground of this superstition I will not stand to inquire into, but only observe, that as the Christians rejected this ceremony because it was a mere superstition, so they retained the other, as agreeable to that decency which is taught by nature.

Sect. 3. Then washing the body in water.

The next circumstance mentioned by Dionysius, was laying the body out, and washing it with water. This was a ceremony used not only by the Greeks and Romans, but by the Hebrews also; from whom it was taken and continued by the Christians, as it is now by the Jews, though for more superstitious reasons than formerly, as Buxtorf acquaints us,[6] at this day. That it was a very early rite derived from the Jews to the Christians, we learn from the account which is given of Tabitha, Acts ix. 37, where it is said, that when she was dead, they washed her, and "laid her in an upper chamber." And some will have[7] this to be the meaning of the apostle, 1 Cor. xv. 29, where he speaks of being baptized or washed for the dead: which is not so certain. However, the custom is mentioned as usual among Christians, not only by Dionysius, but Tertullian,[8] who says, The Christians used bathing as well as the heathens, at proper times, for health, to preserve their vital heat and blood; for it was time enough to grow pale and cold when they came to be washed after death. This was also an innocent and decent ceremony, and therefore the Christians retained it, not for any mystical signification, that any of them mention, but as a civil rite, and comely preparation of the body for its burial. How long it continued in practice I know not exactly; but Durantus[9] gives later instances of its use out of Gregory the Great, and Gregory of Tours, and Bede's Life of St. Cuthbert, and Eginhardus's Life of Charles the Great.

Sect. 4. Dressing it in funeral robes; and these sometimes rich and splendid.

The next circumstance noted by Dionysius, is dressing and adorning the body in robes proper for its funeral. He takes no notice of anointing the body with precious ointment, nor of the use of any embalming, (which was proper to be mentioned between washing and clothing,) because this was not so generally used, as being a more chargeable thing, and not so proper, therefore, to the deplorable case he was speaking of. But we have had occasion to speak enough of this before. The present circumstance of dressing and adorning the body in some robes or vestments proper for its burial, is mentioned by several other writers, who speak of these robes as differing much, either according to the dignity and quality of the deceased, or the quality of those who prepared them. Eusebius[10] says, Asturius, being a rich and noble Roman senator, wound up the body of Marinus the martyr, *εὖ μάλα πλουσίως*, in a very rich garment, and so carried him to his grave. And Constantine, according to the dignity of an emperor, was buried in a purple robe, with other magnificence proper to the dignity of his person, as the same Eusebius[11] informs us. And St. Jerom signifies this to have been the custom of the rich,[12] though, according to his usual manner, he somewhat satirically inveighs against it: Spare, I pray, yourselves; spare at least your riches, which ye love. Why do you wind up your dead in clothes of gold? Why does not your ambition cease in the midst of mourning and tears? Cannot the bodies of the rich find a way to rot any otherwise than in silk? Thus he at once gives us the custom, and his own tart reflection on it, showing himself a friend rather to the plain and common way of dressing the dead for their funeral; which was, to wrap them up in clean linen clothes, after

[5] Plin. Nat. Hist. lib. 11. cap. 37. p. 204. Morientibus oculos operire, rursusque in rogo patefacere, Quiritium magno ritu sacrum est. Ita more condito, ut neque ab homine supremum eos spectari fas sit, et cœlo non ostendi nefas.

[6] Buxtorf. Synagog. Judaic. cap. 35. p. 501.

[7] Vid. Beza, in Act. ix. 37.

[8] Tertul. Apol. cap. 42. Lavor honesta hora et salubri, quæ mihi et calorem et sanguinem servet: rigere et pallere post lavacrum mortuus possum.

[9] Durant. de Ritib. lib. 1. cap. 23. n. 14.

[10] Euseb. lib. 7. cap. 16.

[11] Euseb. de Vit. Const. lib. 4. cap. 66.

[12] Hieron. Vit. Pauli. Parcite, quæso, vobis, parcite saltem divitiis quas amatis. Cur et mortuos vestros auratis obvolvitis vestibus? Cur ambitio inter luctus lachrymasque non cessat? An cadavera divitum nisi in serico putrescere nesciunt?

the example of Christ's body, as the manner of the Jews was to bury. So St. Jerom says in another place,[13] speaking of the woman that was seven times smitten; The clergy, whose office it was, wound up her bloody body in linen clothes. And so Prudentius, in his Hymn upon the Obsequies of the Dead, represents it as the most usual funeral[14] dress. And Athanasius[15] says, It was the custom of the Egyptians to use linen, not only for the meaner sort of people, but for the nobles also, and the martyrs. However, some adorning or other was always used; and therefore Sidonius Apollinaris represents it[16] as a thing contrary to the common way of burying in the Goths, that being forced to inter their slain in a tumultuous manner, they could neither wash them, nor clothe them for the grave, but threw whole loads of them naked and dropping with blood into the earth; which is usual enough in burying the slain of an army in the field, but no way agreeable to the manner of burying in time of peace. He that would see more of this custom, may consult the learned Savaro's Notes upon Sidonius, who gives other instances out of Arnobius, and Lactantius, and Corippus, and Gregory of Tours, and Constantius's Life of Germanus, which I will not stand to repeat in this place. I only add that of St. Jerom,[17] where he commends the Lady Paula for her great charity to the poor, in that she never suffered any of their bodies to go without a funeral garment to their graves; and out of her immense propensity to the practice of this virtue, wished, that she herself might die poor, and be beholden to the charity of some other to give her a piece of linen to wrap up her body for its funeral: and to this subjoin that passage of St. Chrysostom,[18] where he makes this funeral clothing to have something of signification in it, saying, We clothe the dead in new garments, to signify or represent beforehand their putting on the new clothing of incorruption.

Sect. 5. Watching and attending it in its coffin till the time of the funeral.

The next circumstance mentioned in the short account of Dionysius, is the decent composing them in their coffin, and watching and attending them till the time of their funeral. It was the custom of all nations to let the dead corpse lie some time unburied, lest there should chance to be some vital spirit or remains of life in them, that might be quite destroyed by too hasty a funeral. For this reason the Romans let their body lie seven days; meanwhile using their ablution in warm water, and their several conclamations, as they called them, to try if there was any spirit left in them, which might be awaked and recovered to life again. If after the last conclamation no sign of life appeared, then *Conclamatum est*, there was no remedy, after this cry they carried them forth to their funeral pile. The Roman antiquaries note further, that the rich were commonly laid in beds, and the poorer sort in coffins, in the porch or entrance of their houses close by their gate. The Christians' ceremonies were in some things the same, and in some things a little refinement upon these. The common sort of people were laid in coffins of plain wood, as St. Ambrose and others inform us.[19] For in this the Christians chose rather to follow the heathens than the Jews; the Jews using no coffins, but only grave-clothes to wrap up the body, and biers to carry it to the grave. Others had their coffins adorned with more costly materials. Constantine was put in a coffin overlaid with gold, *ἐν χρυσῇ λάρνακι*, as both Eusebius[20] and Socrates word it, and that was covered also with a purple pall. St. Jerom[21] says likewise, that Blesilla, the daughter of Paula, a rich lady in Rome, had her coffin covered with a cloth of gold; but St. Jerom himself did not like it, for he says immediately upon it, It seemed to him as if he then heard Christ crying from heaven, I own not this garment; this clothing is none of mine; this ornament is the ornament of strangers. From whence we may conclude, that this way of adorning coffins so pompously was not very common among Christians. Neither did they imitate the heathens in their collocation in the porches or entrance of their houses; though Durantus says,[22] This old Roman custom is still continued at Paris; but they set their coffins either in some inner room of their house, or an upper room, as we read of Tabitha, Acts ix. 37, or carried them to the church, where they watched with the body to the time of its funeral. Eusebius says,[23] Constantine's body was laid in his golden coffin covered with purple in one of the chief rooms of the palace; where lights were hanged round about it in golden candlesticks; and the body so adorned with the purple robe and royal diadem, was attended by the watchers for several days and nights together; such a splendid sight as was never seen from the foundation of the world before. Others chose immediately after death to be laid in the church, where the watchers also attended them till they were car-

[13] Hieron. Ep. 49. ad Innocent. Clerici quibus id officii erat, cruentum linteo cadaver obvolverunt.

[14] Prudent. Cathemer. in Hymn. ad Exequias Defunctorum. Candore nitentia claro prætendere lintea mos est.

[15] Athan. Vit. Anton.

[16] Sidon. lib. 3. Ep. 3. Quibus nec elutis vestimenta, nec vestitis sepulchra tribuebant.

[17] Hieron. Epitaph. Paulæ. Quis inopum moriens non illius vestimentis obvolutus est?

[18] Chrys. Hom. 116. t. 6. Ed. Savil.

[19] Ambros. in Luc. ii. cited by Durant. de Ritib. lib. 1. cap. 23.

[20] Euseb. Vit. Const. lib. 4. c. 66. Socrat. lib. 1. cap. 40.

[21] Hieron. Ep. 27. ad Paulam. Aureum feretro velamen obtenditur. Videbatur mihi tunc clamare de cœlo: Non agnosco vestes: amictus iste non meus: hic ornatus alienus est.

[22] Durant. de Ritib. lib. 1. cap. 23. n. 13.

[23] Euseb. Vit. Const. lib. 4. c. 66.

ried forth to their funeral. Thus Paulinus[24] tells us, The body of St. Ambrose, as soon as it was dead, was carried into the church, and there they watched with him the night before Easter. And here, instead of the Roman conclamation, they were wont to make the church echo with psalmody, and hymns, and praises to God, which was a noble refinement upon the old ceremony of conclamation. Thus Gregory Nyssen[25] represents the watching that was kept with the body of his sister Macrina: They watched and sung psalms all night, as they were used to do on the vigils or pernoctations preceding the festivals of the martyrs. And something of this kind is that which St. Austin says[26] was done in his mother's house some time after she was dead: Euodius took the Psalter and began to sing a psalm, and the whole family answered alternately, "I will sing of mercy and judgment, unto thee, O Lord, will I sing."

Sect. 6. The exportation of the body performed by near relations, or persons of dignity, or any charitable persons, as the case and circumstances of the party required.

The last circumstance mentioned by Dionysius, is the exportation of the body to the grave; which, in the particular case he speaks of, being the time of a raging plague and pestilence, was done by such charitable persons as were willing to venture their own lives to discharge these last pious offices to their dying brethren. And there were many occasions for this sort of charity in the three first ages, not only upon the account of infectious diseases, but for the multitude of martyrs, and numbers of the poor, who had nothing to depend upon but the kindness of such charitable persons in the church. Sometimes this office was performed by the next relations; and sometimes by persons of rank and quality, when they designed to do a particular honour to the party deceased in regard to his merit and virtue. I have noted before out of Eusebius,[27] how Asturius, a noble Roman senator, carried Marinus the martyr on his own shoulders to his grave; and how Eutychian, bishop of Rome, is said to have buried above three hundred martyrs with his own hands. St. Jerom also tells us, That the bishops of Palestine[28] paid this particular respect to the famous Lady Paula, that they carried her forth with their own hands, and put their own necks under her coffin. So Gregory Nyssen says,[29] that he and some others of the most eminent clergy carried his sister Macrina to her grave. Nazianzen also tells us,[30] That St. Basil was carried χερσὶν ἁγίων, by the hands of the clergy, in honour to his person.

Sect. 7. Particular orders of men appointed in some great churches, under the names of *copiatæ* and *parabolani*, to take care of the sick, and perform all these offices for the dead.

In the first ages the poor were buried at the common charge and charity of the church, as we learn from Tertullian's Apology, cap. 39. But afterward, in some of the greater churches, where there were multitudes of poor, in the beginning of the fourth century we find two orders of men set up in the church with a sort of clerical character, whose particular business was to attend the sick, especially in infectious diseases, and to do all offices that were necessary to be done in order to give the poor a decent funeral. The one were called *parabolani*, from venturing their lives among the sick in contagious distempers; and the other *copiatæ, laborantes, lecticarii, fossarii, sandapilarii*, and *decani*, (answerable to the old Roman names *libitinarii* and *vespillones*,) whose office was to labour in digging of graves for the poor, and carrying the coffin or bier, and depositing them in the ground, as most of the names signify; which it is sufficient only to hint here in this place, because I have given a full account of these orders of men in two distinct chapters in a former Book.[31]

Sect. 8. Psalmody the great ceremony used in all processions of funerals among Christians, in opposition to the heathens' piping and funeral song.

Now to proceed: whereas the heathens had their *nænia* or funeral song, together with their pipers, and sometimes trumpeters, to play[32] before them; instead of this the Christians chose to carry forth their dead in a more solemn manner with psalmody to the grave. We cannot expect to find much of this in the three first ages, while they were in a state of persecution; but as soon as their peaceable times were come, we find it in every writer. The author of the Apostolical Constitutions gives this direction,[33] That they should carry forth their dead with singing, if they were faithful: "For precious in the sight of the Lord is the death of his saints." And again it is said, "Return to thy rest, O my soul, for the Lord hath rewarded thee:" and, "The memory of the just shall be blessed:" and, "The souls of the just are in the hand of the Lord." These probably were some of those versicles which made up their psalmody upon such occasions. For Chrysostom, speaking of this matter, not only tells us the reason of their psalmody, but also what particular psalms or portions of them they made use of as proper for

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[24] Paulin. Vit. Ambros. Ad ecclesiam, antelucana hora qua defunctus est, corpus ipsius portatum est, ibique eadem fuit nocte quam vigilavimus in Pascha. Vid. Gregor. Turon. de Gloria Confessor. cap. 104.

[25] Nyssen. Vit. Macrinæ, t. 2. p. 200.

[26] Aug. Confess. lib. 9. c. 12.

[27] Euseb. lib. 7. cap. 16. See before, sect. 1.

[28] Hieron. Ep. 27. Epitaph. Paulæ. Translata episcoporum manibus et cervicem feretro subjicientibus.

[29] Nyssen. Vit. Macrinæ, t. 2. p. 201.

[30] Naz. Orat. 20. in Laud. Basil. p. 371.

[31] Book III. chap. 8 and 9.

[32] Vid. Rosin. Antiq. Rom. lib. 5. cap. 39. p. 991.

[33] Constit. lib. 6. cap. 30. Ψάλλοντες προπέμπετε αὐτούς, κ.τ.λ.

this solemnity. What mean our hymns,[34] says he, Do we not glorify God, and give him thanks, that he hath crowned him that is departed, that he hath delivered him from trouble, that he hath set him free from all fear? Consider what thou singest at that time: "Turn again unto thy rest, O my soul, for the Lord hath rewarded thee." And again, "I will fear no evil, because thou art with me." And again, "Thou art my refuge from the affliction which compasseth me about." Consider what these psalms mean. If thou believest the things which thou sayest to be true, why dost thou weep and lament, and make a mere pageantry and mock of thy singing? If thou believest them not to be true, why dost thou play the hypocrite so much as to sing? He speaks this against those who used excessive mourning at funerals, showing them the incongruity of that with this psalmody of the church. And he uses the same argument frequently upon this occasion, dissuading men, not from moderate, but excessive sorrow, as inconsistent with the usual psalmody of the church, and exposing them at the same time to the ridicule of the Gentiles. For what said they, Are these the men that talk so finely and philosophically about the resurrection? Yes, indeed! But their actions do not agree with their doctrine; for whilst they profess in words the belief of a resurrection, in their deeds they act more like men that despair of it. If they were really persuaded that their dead were gone to a better life, they would not so lament. Therefore, says Chrysostom,[35] let us be ashamed to carry out our dead after this manner. For our psalmody, and prayers, and solemn meeting of fathers, and such a multitude of brethren, is not that thou shouldest weep and lament, and be angry at God; but give him thanks for taking a deceased brother to himself. St. Jerom also frequently speaks of this psalmody as one of the chief parts of their funeral pomp. He says,[36] At the funeral of the Lady Paula at Bethlehem, which was attended with a very great concourse of the bishops, and clergy, and people of Palestine, there was no howling or lamenting, as used to be among the men of this world, but singing of psalms in Greek, and Latin, and Syriac, (because there were people of different languages present,) at the procession of her body to the grave. And speaking of St. Antony's burying Paul the hermit,[37] he says, He wound him up, and carried him forth, singing hymns and psalms, according to the manner of Christian burial. Gregory Nyssen gives the same account of the funeral[38] of his sister Macrina, and Nazianzen[39] of the funeral of his brother Cæsarius. And the practice was so universal, that Socrates[40] takes notice of it among the Novatians, telling us how they carried the body of Paulus their bishop at Constantinople with psalmody to his grave. And it being so general and decent a practice, it was a grievance to any one to be denied the privilege of it. Victor Uticensis[41] upon this account complains of the inhuman cruelty of one of the kings of the Vandals: Who can bear, says he, to think of it without tears, when he calls to mind, how he commanded the bodies of our dead to be carried in silence, without the solemnity of the usual hymns, to the grave? for none were wont to be denied this privilege, save only such as either laid violent hands upon themselves,[42] or were publicly executed for their crimes, or died in a wilful neglect of baptism. Such were not allowed this solemnity of psalmody at their funeral; being in the same rank with excommunicated persons, who had no title to be partakers in any offices peculiarly appropriated to communicants in the church. But such as were called away out of the world in the vocation of God, as one of the councils of Toledo[43] words it, that is, the bodies of all pious and religious Christians, were allowed this honour of being carried to their graves with singing: but then that singing must not be those funeral songs which were commonly used among the Gentiles, accompanied with antic beating of their breasts, and the like; for it was sufficient for Christians, whose bodies were buried in hopes of a resurrection, to have the service of Divine songs, or psalmody, bestowed upon them. This shows us another difference between the heathen and the Christian way of burial. The heathens were used to have their *præficæ*, or women hired on purpose to make lamentation at their funerals; which even Lucian himself derides, bringing in a dead man, by way of *prosopopœia*, asking this question, What does your lamentation signify to me, or your beating of the breast at the sound of the pipe? And Chrysostom[44] in a more serious manner reproves some, who in his time were still fond of this heathenish custom, whom he threatens, unless they amended, to prosecute them with the utmost severity of excommunication.

Sect. 9. Crowning the coffin with garlands

The heathens were used in their funeral pomp to crown their corpse

[34] Chrys. Hom. 4. in Hebr. p. 1784 et 5.

[35] Chrys. Hom. 29. de Dormientib. t. 5. p. 423. Vid. Hom. 61. in Joan. et Hom. 6. de Pœnitent. in Edit. Latin. Hom. 14. in 1 Tim. Hom. 116. t. 6. Edit. Savil.

[36] Hieron. Epitaph. Paulæ, Ep. 27.

[37] Ibid. Vit. Pauli. Obvoluto et prolato foras corpore, hymnos quoque et psalmos de Christiana traditione decantans, &c.

[38] Nyss. de Macrina. [39] Naz. Orat. 10. t. 1. p. 169.

[40] Socrat. lib. 7. cap. 46.

[41] Victor. de Persec. Vandal. lib. 1. Bibl. Patr. t. 7. p. 589.

[42] Conc. Bracar. 1. can. 34 et 35.

[43] Conc. Tolet. 3. can. 22. Qui divina vocatione ab hac vita recedunt, cum psalmis tantummodo, et psallentium vocibus debere ad sepulchra deferri. Nam funebre carmen, quod vulgo defunctis cantari solet, vel in pectoribus se, aut proximos aut familias cædere omnino prohibemus, &c.

[44] Chrys. Hom. 4. in Hebr. p. 1786.

not allowed among Christians, though they scrupled not to carry lights before them.

with garlands, in token of victory, as Clemens Alexandrinus interprets it,[45] drawing thence an argument to prove that their idol-gods were only dead men. Tertullian[46] also expressly mentions their funeral crowns, but he condemns them among all the rest that he writes against in his book of the Soldier's Crown, where he reckons them all idolatrous, as used by the heathens. We do not find this custom used by Christians in their funeral rites. The heathen in Minucius makes it one topic of accusation[47] against them, That they did not crown their sepulchres: and Minucius in his answer[48] owns the charge: We do not crown the dead: and I wonder more at you, that ye give either torches or crowns to a dead man, who has no sense of them; when, if he be happy, he needs no flowers; and if he be miserable, he takes no pleasure in them. We adorn our funeral obsequies with the same tranquillity that we live; not making fading crowns to ourselves, but expecting a crown of everlasting flowers from God. It is plain from this, that the Christians did not crown their dead. Neither, according to this reading of Minucius, could they use torches at their funerals. But this seems strange, when it is certain, that in the time of Minucius they were often forced to bury in the night. Therefore it is probable the word *facem* is crept into the text; for the sense and scope of the argument requires it not. However, in after ages the Christians scrupled not to carry lights and torches by day, before their dead, as an emblem of victory and joy, as we heard St. Chrysostom himself before[49] explaining the reason of it. So that either the Christians did never scruple this ceremony, or else it must be said, they thought fit to adopt it into their rites in after ages.

Sect. 10. Funeral orations made in the praise of eminent persons.

When they had thus conducted the corpse to the place of burial, it was usual to make a funeral oration in the praise and commendation of the party deceased, if there was any thing singular and eminent in him, fit to be recommended as an example and pattern of virtue to others, or worthy to be related as a just memorial and monument of his own merits and glory. We have several orations of this kind still remaining; as that of Eusebius at the funeral of Constantine; and those of St. Ambrose at the funerals of Theodosius and Valentinian, and his own brother Satyrus; and those of Gregory Nazianzen upon his father, and his brother Cæsarius, and his great friend St. Basil, and his sister Gorgonia; and that of Gregory Nyssen upon the death of Melitus, bishop of Antioch, which Socrates in one place[50] calls ἐπικήδειον λόγον, his funeral oration, and in another place,[51] ἐπιτάφιον, his epitaph. But St. Jerom's epitaphs upon Nepotian, Fabiola, and Paula, are of another sort, being only private characters composed by him to perpetuate their memory, but not delivered in public as funeral orations.

Sect. 11. Together with psalmody and the usual service of the church.

But whether there was a funeral oration or not, the other service of the church was usually performed at the interment of the dead; the whole service, if the burial was in the morning, when the oblation of the eucharist might be celebrated; or else only the psalmody and prayers, if the funeral was in the afternoon. The psalmody and prayers are largely described by the author under the name of Dionysius the Areopagite,[52] who speaks first of their singing hymns of thanksgiving to God for the party deceased, and his making a victorious end, and desiring that they may come to the same rest with him. Then the bishop makes a prayer of thanksgiving also to God, for making the party persevere in the knowledge of God and his Christian warfare unto death. Then the deacon reads such portions of Scripture as contain the promises of a resurrection, and the hymn appertaining to the same purpose. Thus far was the service of the catechumens in this office of burial. After their dismission, the chief deacon makes a commemoration of all saints departed, and proclaims them conquerors, giving the same *elogium* to him that was now to be interred, and exhorting all to follow his example, and beg of Christ a happy end. Then the bishop prays after this for him that was deceased, That God would forgive him all his sins contracted by human infirmity, and translate him into the place of light and the regions of the living, and give him a mansion in the bosom of Abraham, Isaac, and Jacob, whence all grief, and sorrow, and mourning are fled away. Then he gives him the kiss of peace, and anoints him with the holy oil, and so commits him to the earth. Here is no mention of the eucharist being celebrated in this office, but we find it in others: and the two last ceremonies of giving the kiss of peace, and anointing with oil, are in a manner peculiar to this author, and the former of them expressly forbidden in some other rules of burial; but the hymns and psalmody, and proper portion of Scripture and prayers, made a part of the burial office in all churches. St. Jerom[53] thus

[45] Clem. Pædagog. lib. 2. cap. 8.

[46] Tertul. de Coron. cap. 10.

[47] Minuc. p. 35. Coronas etiam sepulchris denegatis.

[48] Ibid. p. 109. Nec mortuos coronamus. Ergo vos in hoc magis miror, quemadmodum tribuatis exanimi aut non sentienti facem, aut non sentienti coronam: cum et beatus non egeat, et miser non gaudeat floribus, &c.

[49] Chrys. Hom. 4. in Hebr. cited before, chap. 2. sect. 6.

[50] Socrat. lib. 5. cap. 9.

[51] Id. lib. 4. cap. 26.

[52] Dionys. Eccles. Hierarch. cap. 7. p. 408.

[53] Hieron. Epitaph. Fabiol. cap. 4. Sonabant psalmi, et aurata templorum tecta reboans in sublime quatiebat Alleluya.

describes the funeral of Fabiola: The psalms were sung aloud, and the echo of the hallelujahs shook the golden roof of the church. So again, at the funeral of Paula,[54] he speaks not only of their singing in the procession, but in the middle of the church also. The African councils speak likewise of prayers used at the funerals of the dead: which prayers were particularly termed *παραθέσεις* and *commendationes*,[55] commendatory prayers, being such as they used when they committed the bodies to the ground: and these are appointed to be such only as were approved in synod, that no corruption of faith through ignorance might creep into the offices of the church. This is abundant proof that psalmody and prayers were always a part of the funeral service in the church.

Sect. 12. And sometimes the oblation of the eucharist.

And whenever it was a proper season, the communion was added to these also; that is, when the funeral or commendation of any person deceased was in the morning, which was the only proper time for the communion, because it was to be received by all fasting. This distinction is made in the third council of Carthage, which orders,[56] first, That all men shall receive the communion fasting: and then adds, That if any commendation or funeral of a bishop or any other be to be celebrated in the afternoon, it should be done with prayers only, and not with the celebration of the eucharist, if they that assisted at the funeral office had dined before. This is a manifest evidence, that the communion was generally celebrated at funerals in this age, at least in the African church, unless some intervening circumstance of time made it otherwise. Accordingly, Possidius[57] tells us St. Austin was buried with the oblation of the sacrifice to God for the commendation of his body to the ground. And so St. Austin[58] himself tells us, his mother Monicha was buried with the offering of the sacrifice of our redemption, according to custom, before her body was laid in the ground. This made Victor Uticensis[59] bring in the people of Africa thus complaining, when all their clergy were driven away in the barbarous desolation of the Vandals, Who shall now bury us, when we are dead, with the solemn prayers? And that we may not think this was a custom peculiar to Africa, Paulinus[60] tells us St. Ambrose was so buried on Easter-day in the morning, after the Divine sacrament had been administered. In like manner Eusebius[61] describes the funeral of Constantine: he says, the clergy performed the Divine service with prayers: and lest we should take this for prayers only, he adds, they honoured him with the mystical liturgy, or service of the eucharist, and the communion of the holy prayers. So St. Ambrose gives us to understand it was in the funeral of Valentinian, by those words in his oration upon his death: Bring me the holy[62] mysteries, let us pray for his rest with a pious affection. And so Euodius[63] says he buried his pious notary, singing hymns to God at his grave three days together, and on the third day offering the sacraments of redemption.

Sect. 13. With particular prayers for the dead.

Now, this was the rather done, because in the communion service, according to the custom of those times, a solemn commemoration was made of the dead in general, and prayers offered to God for them; some eucharistical, by way of thanksgiving for their deliverance out of this world's afflictions; and others by way of intercession, that God would receive their souls to the place of rest and happiness; that he would pardon their human failures, and not impute to them the sins of daily incursion, which in the best men are remainders of natural frailty and corruption; that he would increase their happiness, and finally bring them to a perfect consummation with all his saints by a glorious resurrection. All which prayers, as I have fully demonstrated[64] in another place, could have no relation to the modern groundless fancy of purgatory, but went upon other principles, that perfectly overthrow it: but being agreeable to the sense and opinions of those times, they chose the rather to use the communion service at burials, because of these prayers that were constantly made therein to God for all holy men and women departed, among whom they reckoned the soul of him in particular, whom they were then about to commit to his grave. But whether they had a communion or not at the funeral, they had

[54] Id. Epitaph. Paulæ, Ep. 27. Alii choros psallentium ducerent in media ecclesia, &c.

[55] Conc. Milevitan. can. 12. Orationes quæ probatæ fuerint in synodo, sive præfationes, sive commendationes, sive manus impositiones, ab omnibus celebrentur. Nec aliæ omnino dicantur, &c. Vid. Cod. Can. Eccles. Afric. can. 106.

[56] Conc. Carth. 3. can. 29. Sacramenta altaris non nisi a jejunis hominibus celebrentur——Nam si aliquorum pomeridiano tempore defunctorum, sive episcoporum sive cæterorum commendatio facienda est, solis orationibus fiat, si illi qui faciunt, jam pransi inveniantur.

[57] Possid. Vit. Aug. cap. 13. Pro ejus commendanda corporis depositione sacrificium Deo oblatum est, et sepultus est.

[58] Aug. Confess. lib. 9. cap. 12. Cum offerretur pro ea sacrificium pretii nostri, jam juxta sepulchrum posito cadavere, priusquam deponeretur, sicut fieri solet, &c.

[59] Victor. de Persec. Vandal. lib. 2. Bibl. Patr. t. 7. p. 600. Qui nos solennibus orationibus sepulturi sunt morientes?

[60] Paulin. Vit. Ambros. Illucescente die Dominico, cum corpus illius, peractis sacramentis divinis, de ecclesia levaretur portandum ad basilicam Ambrosianam, &c.

[61] Euseb. Vit. Const. lib. 4. cap. 71. Τὰ τῆς ἐνθέου λατρείας δι' εὐχῶν ἀνεπλήρουν.———μυστικῆς λειτουργίας ἀξιούμενον καὶ κοινωνίας ὁσίων ἀπολαῦον εὐχῶν.

[62] Ambros. de Obitu Valentin. p. 12. Date manibus sancta mysteria: pio requiem ejus poscamus affectu.

[63] Ap. Aug. Ep. 258. [64] Book XV. chap. 3. sect. 17.

always prayers, as is evident from the last-mentioned canons of the councils of Carthage and Milevis, which give directions about the use of them. And in these prayers, when there was no communion, they particularly commended the soul of the deceased to God, whence, probably, these prayers more especially had the distinguishing name of commendations. Besides these, it was usual to pray for them by private or sudden ejaculations, as we find examples in St. Ambrose's several orations upon the emperors Theodosius, Valentinian, and Gratian, and his own brother Satyrus, and Gregory Nazianzen's funeral speech upon his brother Cæsarius, and St. Austin's private prayers for his mother Monicha; not to mention the prayers made for them annually upon their anniversary days of commemoration. One of these forms of prayer used at funerals is still remaining in the Constitutions, which I the rather choose to repeat here, because it fully shows, there was no relation to purgatory in those prayers, but quite the contrary, viz. a supposition that the soul of the deceased was going to a place of rest and happiness in Abraham's bosom. The form runs after this manner: First, the deacon[65] says, Let us pray for our brethren, who are at rest in Christ; that the merciful God, who hath taken the soul of this our brother, would forgive him all his sins, voluntary and involuntary, and of his great mercy and good-will place him in the region of the just, that are at rest in the bosom of Abraham, Isaac, and Jacob, with all those who have pleased God and done his will from the beginning of the world; in the place whence sorrow, and grief, and mourning are fled away. After this, the bishop makes another prayer in these words: O thou immortal and everlasting God, from whom every thing, whether mortal or immortal, has its being; who hast made man a rational creature, and inhabitant of the world, mortal in his constitution, but promised him a resurrection from the dead; who didst preserve Enoch and Elias from tasting death: O God of Abraham, God of Isaac, and God of Jacob, who art not the God of the dead, but of the living; because the souls of all live to thee, and the spirits of just men are in thy hand, whom torment cannot touch: look down now upon this thy servant, whom thou hast chosen, and received to another state; pardon him whatsoever he has willingly or unwillingly sinned against thee; grant him favourable angels, and place him in the bosom of patriarchs, prophets, apostles, and all those who have pleased thee from the beginning of the world; where there is no sorrow, grief, or trouble, but a place of rest for the godly, a land of quietness for the upright, and all those who therein see the glory of thy Christ: by whom all glory, honour, adoration, thanksgiving, and worship be to Thee, through the Holy Ghost, for ever. Amen.

Then the bishop prays again for the people there present: Lord, save thy people, and bless thine inheritance, whom thou hast purchased with the precious blood of thy Christ; feed them under thy right hand, protect them under thy wings, grant that they may fight the good fight, and may finish their course, and keep the faith, immutable, unblamable, unreprovable, through our Lord Jesus Christ, thy beloved Son: to whom, with thee and the Holy Spirit, be all glory, honour, and adoration, world without end. Amen.

These prayers for the dead are not made upon the Romish supposition of the souls being in purgatory, or any place of torment; but plainly upon a quite contrary supposition, of their being conducted by the holy angels to a place of rest, to the bosom of patriarchs, apostles, and prophets: which is an infallible demonstration, that the church then knew nothing of a purgatory fire to torment the dead for many ages after death; but all her prayers went upon another supposition, which overthrows the belief of a purgatory fire, by placing the souls of the dead in a state of immediate rest and happiness.

Sect. 14. A corrupt custom of giving the kiss of peace and the eucharist to the dead, corrected by the ancient canons.

Whilst we are speaking of prayers for the dead, and the administration of the eucharist at funerals, we must not forget to mention a corrupt custom which, through ignorance or superstition, crept into some places, but was strictly forbidden by the canons. That was, the custom of giving the kiss of peace and the communion to the dead. This had a semblance of piety in it, and, doubtless, arose from the laudable custom of celebrating the communion at funerals, of which it serves for a further testimony: but it was the effect of a blind superstition only. And therefore, though the feigned author under the name of Dionysius the Areopagite,[66] speaks with approbation of the ceremony of giving the kiss of peace to the dead; yet when this custom, together with that of giving the eucharist to the dead, began to creep into France about the year 578, the council of Auxerre made a peremptory canon against them both: It is not lawful to give either the eucharist or the kiss of peace to the dead.[67] The corruption of giving the eucharist to the dead had been moving in Africa some ages before, in the time of St. Austin; but he and the rest of the fathers who met in the third council of Carthage gave check to it,[68] forbidding such ignorant and weak presbyters, by whose folly

[65] Const. Apost. lib. 8. cap. 41.

[66] Dionys. Eccles. Hierarch. cap. 7.

[67] Conc. Antissiodor. can. 12. Non licet mortuis nec eucharistiam nec osculum tradi, nec velo vel pallis corpora eorum involvi.

[68] Conc. Carth. 3. can. 6. Placuit ut corporibus defuncto-

the practice had been encouraged, to give way any longer to it, or misguide the people in such an erroneous opinion, as to make them think the eucharist was to be given to the dead: whereas our Lord said, "Take and eat;" but dead bodies can neither take nor eat it. The same persons thought that dead bodies might also receive the other sacrament of baptism; as if there had been some peculiar virtue and efficacy in the outward elements of the sacraments themselves, without any sense or concurrence of faith in the receiver. Both which errors are censured also by St. Chrysostom;[69] and that of giving the eucharist to the dead more particularly by the council of Trullo.[70] All which shows, that this was an error which many superstitious people were very fond of; but it was never allowed or encouraged publicly by any authority in the church. The custom of burying the eucharist in the coffin with the dead, (which has so much prevailed in the Romish church,) is a novelty of later ages only, begun by Benedict the monk, but without any precedent or example in any of the ancient monuments of the church, as I have had occasion to show more fully in a former Book.[71] Let us therefore now pass on from these corruptions to the more approved practices of the church.

Sect. 15. Almsdeeds commonly added to prayers for the dead.

Almsdeeds, as a proper concomitant of prayers at all times, was now thought as seasonable as ever, to be given by the living for the dead. Would you honour the dead? Give alms, says St. Chrysostom,[72] in one of his homilies. And in another,[73] Why do you call the poor after the death of any relation? Why do you desire the presbyters to pray for him? I know you will answer, That he may go into rest, that he may find a merciful judge. He commends this practice a little after, and thus presses rich men to it, that bury their heirs: If many barbarous nations burn their goods together with their dead, how much more reasonable is it for you to give your child his goods when he is dead! Not to reduce them to ashes, but to make him the more glorious: if he be a sinner, to procure him pardon; if righteous, to add to his reward and retribution. St. Jerom commends Pammachius upon[74] this account: Whilst other husbands throw violets, and roses, and lilies, and purple flowers upon the graves of their wives, our Pammachius waters the holy ashes and bones of his wife with the balsam of alms.

Sect. 16. And repeated yearly upon the anniversary days of commemoration for the dead.

Some repeated these alms yearly, upon the anniversary day of commemorating the dead. At these times they were used to make a common feast or entertainment, inviting both the clergy and the people,[75] but especially the poor and needy, the widows and orphans, that it might not only be a memorial of rest to the dead, but an odour of sweet smell to themselves in the sight of God, as the author under the name of Origen words it. St. Chrysostom says,[76] They were more tenacious of this custom than they were of some others of greater importance. If they were to commemorate a child or a brother that was dead, they were pricked in conscience, if they did not fulfil the custom and call the poor; but at other times, even when they were to commemorate the death of Christ, they could overlook them.

Sect. 17. But this often degenerated into great excesses and abuses, which are complained of as no better than the *parentalia* of the Gentiles.

But this often degenerated into great abuses. For some, instead of feeding the poor, only made this an occasion of indulging themselves in great excesses; which was the fault that Tertullian so smartly reproves in the parentations of the Gentiles, when he objects to them their holding feasts at the graves of their parents, and junketing to excess,[77] so as to return drunk from thence, and beside their senses; feeding voraciously at the graves of those, whom in a mock piety, but real cruelty, they had burnt before. In the three first ages no heathen could retort this back again upon the Christians; but in the fourth age such excesses were committed by some, that the Manichees in St. Austin's time objected it to the catholics, and the matter was so flagrant, that St. Austin was forced to own it,[78] confessing that he knew many who drank luxuriously over the dead, and when they made a feast for the deceased, buried themselves over the dead, and placed their gluttony and drunkenness to the account of religion. But he says the church condemned them, and daily laboured to correct them as wicked children. He complains of the same matter again in one of his epistles to Aurelius,[79] bishop of Carthage, where he desires that these oblations for the dead might be so regulated that they might not run into any sumptuousness or shameful excess: and if any thing was given in money upon that account, it should be distributed immediately among the poor, according to the

rum eucharistia non detur. Dictum est enim a Domino, Accipite et edite: cadavera autem nec accipere possunt, nec edere, &c.

[69] Chrys. Hom. 40. in 1 Cor. p. 668.

[70] Conc. Trull. can. 83. [71] Book XV. chap. 4. sect. 20.

[72] Chrys. Hom. 61. in Joan.

[73] Id. Hom. 32. in Mat. p. 307.

[74] Hieron. Ep. 26. ad Pammach. de Obitu Uxoris.

[75] Orig. in Job, lib. 3. p. 437.

[76] Chrys. Hom. 27. in 1 Cor. p. 565.

[77] Tertul. de Testimon. Animæ, cap. 4. Quando extra portam cum obsoniis et mattæis tibi potius parentans ad busta recedis, aut a bustis dilutior redis. Id. de Resur. Carnis, cap. 1. Ipsos defunctos atrocissime exurit, quos postmodum gulosissime nutrit.

[78] Aug. de Moribus Eccles. cap. 34. Novi multos esse, qui luxuriosissime super mortuos bibant, et epulas cadaveribus exhibentes, super sepultos seipsos sepeliant, et voracitates ebrietatesque suas deputent religioni.

[79] Aug. Ep. 64. ad Aurelium. It. Hom. 101. de Diversis.

primitive design and intent of such oblations. For such oblations the church always willingly received, but never encouraged any other.[80] The author of the book, de Duplici Martyrio, under the name of Cyprian,[81] who wrote long after the time of St. Austin, has a like severe reflection upon the intemperance of the African people. Drunkenness, says he, is so common in our Africa, that it is scarce reckoned any crime. Christians are compelled by Christians to be drunk even at the memorials of the martyrs. Which is no less a crime than offering a goat to Bacchus. But of this I have spoken largely in a former Book,[82] where I had occasion to reflect on the same excesses committed by some at the monuments of the martyrs on their anniversary festivals or commemorations. I now return to the funerals of the ancient church.

Sect. 18. Decent expressions of moderate sorrow at funerals not disallowed, but the heathenish custom of hiring *præficæ*, or mourning women, sharply reproved by the ancients.

Moderate sorrow, when expressed in a decent manner, for the loss of friends, is a thing so natural in itself, and so consistent even with the joy and faith of a Christian, that the ancients never said any thing against any one expressing such sorrow at a funeral. But two things they extremely disliked and sharply reproved; first, immoderate grief, as unbecoming the character and profession of a Christian, whose conversation is in heaven already, and his hope and expectation no less than a crown and kingdom after death; who, therefore, ought not to grieve or sorrow above measure, but with a mixture of joy, that any friend is gone to heaven before him to take an earlier possession of it. The other thing they disliked was, the heathenish custom of having women hired on purpose to lament and make a hideous crying and howling before the dead, with tearing their hair also, and many other ridiculous signs of mourning. The chief of these the Romans called *præficæ*, from being set over the rest to guide and direct them in their funeral songs and lamentations, as Rosinus[83] describes them out of Varro and Lucilius, and Sextus Pompeius, and Nonius Marcellus, and other Roman authors. Now, this the ancients extremely disliked and severely inveighed against, as a mere heathenish custom. Why do you beat yourself and lament, says Chrysostom,[84] and accuse the institution of Christ, who has overcome death, and made it only a sleep? If a heathen does this, he is worthy to be laughed to scorn; but if a Christian does it still, after he is assured of a resurrection, what apology or excuse can be made for him? And yet you aggravate your crime by calling in heathen women to be your mourners, and to inflame your sorrow, not regarding what St. Paul says, "What concord hath Christ with Belial? and what part hath he that believeth with an infidel?" He then goes on to show the monstrous folly and vanity of this practice, by great variety of arguments, and curiously answers all the little pleas, which such Christians made in behalf of themselves to excuse this unchristian deportment. In another place[85] he treats them more sharply, telling them he was not only grieved, but utterly ashamed, to think how Christians debased and disgraced themselves in the eyes of the heathen, and Jews, and heretics, by their weeping, and wailing, and howlings, and lamentations, and other indecent practices in the open streets, for which the Gentiles derided them. For they were ready to say, How can any of these men despise death themselves, who cannot so much as bear the death of another? They are fine things indeed that are spoken by Paul, when he says, "God delivered them, who through fear of death were all their lifetime held in bondage:" these are heavenly words, truly, and very worthy and becoming the great kindness and love of God to men; but ye will not suffer us to believe these things, for ye contradict them by your own actions. Show me your philosophy by your patience in bearing cheerfully the death of others, and then I will believe the resurrection. Thus he makes the heathen speak by a neat *prosopopœia*, to shame such Christians, if it might be, into a more manly deportment. He adds withal, that such indecent behaviour of men and women, tearing their hair, and making such hideous lamentation, was a crime for which, if they had their desert, they ought to be cast out of the church, as in effect denying the resurrection. In short, he tells them, with the authority of a bishop, that if they persisted in that vile abuse of hiring heathen women to be their mourners, he would excommunicate them as idolaters. For, if St. Paul calls the covetous man an idolater, much more may he be called so who brings the practices of idolaters among Christians. From thenceforth he peremptorily forbids them to make use of any such heathen mourners, under the penalty of the highest ecclesiastical censure. By which, (not to insist upon what he urges in other places,[86] nor what is said by other writers,) we may easily judge how great an abuse this way of indecent mourning was reckoned in the church.

Sect. 19. The *novendial* of

The heathens had another custom, of repeating their mourning on the

[80] Vid. Conc. Carth. 4. c. 95. et Conc. Vasens. 1. can. 4. de Oblationibus Defunctorum.

[81] Cypr. de Duplici Mart. p. 42. Temulentia adeo communis est Africæ nostræ, ut propemodum non habeant pro crimine. Annon videmus ad martyrum memorias Christianum a Christiano cogi ad ebrietatem? &c.

[82] Book XX. chap. 7. sect. 10.

[83] Rosin. Antiq. lib. 3. cap. 31. et lib. 5. cap. 39.

[84] Chrys. Hom. 32. in. Mat. p. 306.

[85] Ibid. Hom. 4. in Hebr. p. 1784.

[86] Ibid. Hom. 6. in 1 Thes. Hom. 29. de Dormientibus, t. 5 p. 423.

the heathen rejected as a superstitious practice.

third, and seventh, and ninth day, which was particularly called the *novendiale;* and some added the twentieth, and thirtieth, and fortieth, not without a superstitious opinion of those particular days, wherein they used to sacrifice to their *manes* with milk, and wine, and garlands, and flowers, as the Roman antiquaries[87] inform us. Something of this superstition, abating the sacrifice, was still remaining among some ignorant Christians in St. Austin's time; for he speaks[88] of some who observed a *novendial* in relation to their dead, which he thinks they ought to be forbidden, because it was only a heathen custom. He does not seem to intimate, that they kept it exactly as the heathens did; but rather that they were superstitious in their observation of nine days of mourning, which was without example in Scripture. There was another way of continuing the funeral offices for three days together, which was allowed among Christians, because it had nothing in it but the same worship of God repeated. Thus Euodius, writing to St. Austin,[89] and giving him an account of the funeral of a very pious young man, who had been his notary, says, He had given him honourable obsequies, worthy so great a soul; for he continued to sing hymns to God for three days together at his grave, and on the third day offered the sacraments of redemption. The author of the Constitutions[90] takes notice of this repetition of the funeral office on the third day, and the ninth day, and the fortieth day, giving peculiar reasons for each of them: Let the third day be observed for the dead with psalms, and lessons, and prayers, because Christ on the third day rose again from the dead; and let the ninth day be observed in remembrance of the living and the dead; and also the fortieth day, according to the ancient manner of the Israelites mourning for Moses forty days; and, finally, let the anniversary day be observed in commemoration of the deceased. Cotelerius, in his Notes upon this place, has observed several other ancient writers, who take notice of some of these days. Palladius, in his Historia Lausiaca, cap. 26, mentions the third and the fortieth. Justinian, in one of his Novels,[91] speaks of the third, the ninth, the fortieth, and the anniversary day of commemoration; forbidding women who professed the monastic life, to go into the monasteries of the men, under pretence of any of these solemn commemorations of the dead. To these he adds St. Ambrose in his funeral oration upon Theodosius, and Isidore of Pelusium, lib. 1. Ep. 114, and Eustratius Constantinopolitanus, mentioned by Photius, Cod. 171. To omit Damascen, Nicon, Philippus Solitarius, Hincmarus, Theodore archbishop of Canterbury, or any later writers. Suicerus and Meursius take notice of the same custom in the word *τριτεννάται*, which signifies the third and ninth day of commemorating the dead, which, they say, was the custom of the ancients. So that when St. Austin speaks against observing the ninth day, it was not what Cotelerius supposes, because he was ignorant of this practice, with St. Ambrose and many other of the Latins; (wherein Cotelerius contradicts himself, having alleged St. Ambrose before as one that approved the practice;) but it was because St. Austin had observed something amiss in the practice of some superstitious Christians, who kept the ninth day with some abuse, most probably rioting and excess, resembling the *novendial* of the heathens; as we have heard him complain before of the feasts, which such Christians made at the graves of the dead, too much resembling the *parentalia* of the Gentiles.

Sect. 20. The custom of strewing flowers upon the graves of the dead, retained without offence.

The custom of strewing flowers upon the graves of the dead was reckoned innocent, and therefore was retained by some Christians without any rebuke. St. Ambrose and St. Jerom both mention it without any censure: only they seem to speak of it as chiefly the practice of the vulgar; for the more intelligent sort of Christians despised it as a trifle, and showed their respect to the dead in acts that were more substantial. Thus St. Ambrose, in praise of Valentinian, says,[92] I will not scatter flowers upon his grave, but perfume his spirit with the odour of Christ. Let others strew their baskets of flowers upon him: my lily is Christ, and with this flower only will I consecrate his remains. In like manner, St. Jerom[93] commends his friend Pammachius for this, that whilst other husbands scattered violets, and roses, and lilies, and purple flowers upon the graves of their deceased wives, and with such

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[87] Rosin. Antiq. lib. 5. cap. 39. p. 997.

[88] Aug. Quæst. 172. in Gen. t. 4. Nescio utrum inveniatur alicui sanctorum in Scripturis celebratum esse luctum novem dies, quod apud Latinos novendiale appellant. Unde mihi videntur ab hac consuetudine prohibendi, si qui Christianorum istum in mortuis suis numerum servant, qui magis est in Gentilium consuetudine.

[89] Euodii Ep. 258. inter Epist. Aug. Exequias præbuimus satis honorabiles, et dignas tantæ animæ: nam per triduum hymnis Dominum collaudavimus super sepulchrum ipsius, et redemptionis sacramenta tertio die obtulimus.

[90] Constit. lib. 8. cap. 42.

[91] Justin. Novel. 133. cap 3 Sed neque aliam ingressuum occasionem excogitanto——per causam eorum quæ peraguntur circa exequias, quas scilicet memorias appellant, in tertium nonumque diem convenientes, item cum quadraginta excesserint, aut etiam annus.

[92] Ambros. de Obitu Valentin. p. 12. Nec ego floribus tumulum ejus aspergam, sed Spiritum ejus Christi odore perfundam. Spargant alii plenis lilia calathis: nobis lilium est Christus: hoc reliquias ejus sacrabo.

[93] Hieron. Ep. 26. ad Pammach. de Obitu Uxoris. Cæteri mariti super tumulos conjugum spargunt violas, rosas, lilia, floresque purpureos; et dolorem pectoris his officiis consolantur. Pammachius noster sanctam savillam ossaque veneranda eleemosynæ balsamis rigat.

little offices assuaged the grief of their breasts; Pammachius watered the holy ashes and bones of his wife with the balsam of alms-deeds and charity to the poor. With these perfumes and odours he solaced the ashes of the dead that lay at rest, knowing that it was written, "As water will quench a flaming fire, so alms makes an atonement for sins."

Sect. 21. As also wearing a mourning habit for some time.

They had the same notion of going into a mourning habit for the dead: they did not condemn it, nor yet much approve of it, but left it to all men's liberty as an indifferent thing; rather commending those that either omitted it wholly, or in a short time laid it aside again, as acting more according to the bravery and philosophy of a Christian. Thus St. Jerom commends one Julian,[94] a rich man in his time, because, having lost his wife and two daughters, that is, his whole family, in a very few days, one after another, he wore the mourning habit but forty days after their death, and then resumed his usual habit again; and because he accompanied his wife to the grave, not as one that was dead, but as going to her rest. Cyprian indeed seems to carry the matter a little further: he says, He was ordered by Divine revelation to preach to the people publicly and constantly, that they should not lament their brethren that were delivered from the world by the Divine vocation; as being assured that they were not lost, but only sent before them; that their death was only a receding from the world, and a speedier call to heaven; that we ought to long after them, and not lament them; nor wear any mourning habit,[95] seeing they were gone to put on their white garments in heaven: no occasion should be given to the Gentiles justly to accuse and reprehend us, for lamenting those as lost and extinct, whom we affirm still to live with God; and that we do not prove that faith, which we profess in words, by the inward testimony of our hearts and souls. Cyprian thought no sorrow at all was to be expressed for the death of a Christian; nor consequently any signs of sorrow, such as the mourning habit; because the death of a Christian was only a translation of him to heaven. But others did not carry the thing so high, but thought a moderate sorrow might be allowed to nature, and therefore did not so peremptorily condemn the mourning habit, as being only a decent expression of such a moderate sorrow, though they liked it better if men could have the bravery to refuse it.

Sect. 22. Some other rites not allowed by the ancients.

We find some other funeral rites mentioned by the spurious writers under the names of Dionysius the Areopagite and Athanasius. As the priests anointing the body with oil before it was put into the grave, for which the pretended Dionysius[96] gives this reason, That as in the ministration of baptism, after the person had put off his old garments, he was anointed with oil; so in the end of all things, oil was poured upon the dead. The first unction called the baptized person to his holy fight and combat; the second unction declared that he had fought his fight and finished all his labour, and was now consummated and made perfect. This was a quite different unction from the anointing or embalming of the body to its burial, of which we have spoken before: and as other writers say nothing of it, I let it pass as a thing uncertain, the bare testimony of this writer not being sufficient to establish an ancient ecclesiastical custom. We may say the same of another rite mentioned by the pretended Athanasius,[97] who speaks of lighting a mixture of oil and wax at the grave of the dead, as a sacrifice of burnt-offering to God. But besides the silence of others, there are two further prejudices against this; first, That it looks more like a piece of Jewish superstition than a Christian rite; and secondly, That the council of Eliberis has an express canon[98] forbidding a ceremony not very different from this, viz. burning of wax tapers by day in the cemeteries of the dead, lest the spirits of the saints should be molested: and if any despised this order, they were liable to be cast out of communion for their contempt of it. I will not pretend to explain to the reader the reason of this inhibition, nor say that it forbids expressly the rite before mentioned; but there is some analogy and similitude between the two ceremonies, and therefore it is hence very probable, that neither of them were accepted or any ways approved by the church.

Sect. 23. To what sort of persons the privilege of burying with this solemnity was denied.

We have now seen the whole manner of Christian burial among the ancients, with all the rites, both sacred and civil, accompanying and attending it. I have only one thing more to observe concerning the whole in general; which is, that Christian burial with these solemnities was ever esteemed a privilege, and such as good men always desired when they could have it, and bad men were punished for their crimes with the denial and refusal of it by the church, who laid it as a mark of cen-

[94] Hieron. Ep. 34. ad Julian. Laudent te—quod in quadragesimo die dormitionis earum lugubrem vestem mutaveris, et dedicatio ossium martyris candida tibi vestimenta reddiderit.

[95] Cypr. de Mortal. p. 161. Nec accipiendas esse hic atras vestes, quando illi ibi indumenta alba jam sumpserint, &c.

[96] Dionys. Eccles. Hierarch. cap. 7.

[97] Athan. Serm. de Dormientibus, cited by Durant. de Ritibus, lib. 1. cap. 23. n. 14. p. 235.

[98] Conc. Eliber. can. 34. Cereos per diem placuit in cœmiterio non incendi: inquietandi enim spiritus sanctorum non sunt. Qui hæc non observaverint, arceantur ab ecclesiæ communione.

sure and displeasure upon them, not to allow them the honour and privilege of that solemn interment which was customary in the practice of the church. Good men, indeed, were not above measure concerned for their bodies, so as to think it any real detriment or loss to them, if either the barbarity of their enemies or any other accident denied them this privilege: for in this case, as St. Austin largely discourses,[99] the faith of a Christian set him above any fear that might arise from the want of a burial: the consumption of wild beasts would be no prejudice to those bodies which must rise again, and a hair of whose head could not perish. The psalmist indeed says, and that with some concern, "They have given the dead bodies of thy servants to be meat to the fowls of the air, and the flesh of thy saints to the beasts of the land: their blood have they shed on every side of Jerusalem, and there was no man to bury them." But this, says St. Austin, is said more to exaggerate the cruelty of those who did it, than the infelicity of those who suffered it. For though these things may seem hard and direful in the eyes of men, yet "precious in the eyes of the Lord is the death of his saints." Therefore all these things, namely, the care of a funeral, the building of a sepulchre, the pomp of funeral obsequies, are rather for the consolation of the living, than for any benefit of the dead. If a sumptuous funeral be any advantage to the wicked, then a poor one or none at all may be some detriment to the just. The rich man that was clad in purple, had a splendid funeral, by the ministry of his servants, in the sight of men; but the poor man full of sores had a much more splendid one in the sight of God, by the ministry of the angels, who did not carry him forth into a marble tomb, but translated him into Abraham's bosom. Some philosophers have despised the care of a funeral; and whole armies, whilst they were fighting for an earthly country, have been as regardless where they should lie, or to what beasts they should become a prey. And the poets have said plausibly enough upon this subject,

———Cœlo tegitur qui non habet urnam.

He that has no urn, has yet the heaven for a covering. Therefore let not the heathen insult over the bodies of Christians, that lie unburied, who have a promise that their flesh and all their members shall be reformed, not only out of the earth, but out of the most secret recesses of every other element, and in a moment of time be perfectly restored to their pristine and primitive state again.

This was the Christians' consolation, whenever malice or the necessity of their fate and condition denied them a funeral. In other cases they were very desirous to be decently interred among their brethren; and the living thought it a piece of justice to the dead, to treat them handsomely after death, seeing their bodies had been the organs and vessels of the Holy Ghost to every good work; and were not only like a ring or a garment, mere external ornaments to the nature of man, but more intimately and nearly belonging to him, as part of his very essence and constitution. Upon this account good men were equally careful both to pay this just debt to their holy brethren, and to make provision that the same good offices should be done to themselves. And this made it an honourable and desirable privilege to be buried after the manner of the faithful. But then it was a privilege which belonged to none but such. All catechumens that died in a voluntary neglect of baptism, were excluded from the benefit of it, as we find by an order of the first council of Braga,[100] and many passages of St. Chrysostom to this purpose, which direct men[101] to offer private alms and private prayers for them, but assure us they had no place in the public offices of the church. The case was otherwise, when men died without baptism not through any neglect or contempt of it, but by some unavoidable necessity, which happened, and could not be foreseen or prevented, whilst they were piously and studiously preparing for baptism. In this case, either martyrdom or a man's own faith was thought sufficient to supply the want of baptism, as I have largely showed[102] in another place: and then they were buried with the same solemnity as other believers, being all one with them in the estimation of the church.

Another sort of persons, to whom the church denied the usual solemnity of burial, were the *biathanati*, that is, such as laid violent hands upon themselves, being plainly guilty of murder, and that without repentance, by calling death upon themselves. And they put into the same class all those that were publicly executed for their crimes; because these were virtually and indirectly guilty of self-murder, in doing those things which in the course of justice brought them to an untimely end; or at least such things as deserved a spiritual censure, as well as a temporal punishment. Upon this account the council of Braga[103] orders, That both these sorts of men shall be denied the honour of being carried with the usual solemnity of psalmody to the grave. The council of Auxerre[104] orders, That the oblations of such as voluntarily hanged or drowned themselves, or killed themselves with the sword, or cast themselves from a precipice, or were any other ways guilty of a voluntary death, should

[99] Aug. de Civ. Dei, lib. 1. cap. 12 et 13.
[100] Conc. Bracaren. 1. can. 35.
[101] Chrys. Hom. 3. in Philip. p. 1224. Hom. 24. in Joan. p. 159. Hom. 1. in Act. p. 14.
[102] Book X. chap. 2. sect. 20 and 21.
[103] Conc. Bracar. 1. can. 34. [104] Conc. Antissiod. can. 17

not be received in the church. And this was a punishment of the same nature as denying them a solemn burial. There is a like order in the second council of Orleans,[105] to refuse the oblations of such as lay violent hands upon themselves; but they except such as were killed for their crimes; I suppose, upon a supposition that such persons repented of their crimes before their execution. But if any one laid violent hands upon himself, or was actually killed in his crimes, there was no exception ever made in his favour. Optatus says,[106] even one of the Donatist bishops denied the Circumcellions solemn burial, because they were slain in rebellion against the civil magistrate. Which shows that this was a rule inviolably observed in the church.

Another sort of persons, to whom the church denied the privilege of solemn burial, were all excommunicated persons, who continued obstinate and impenitent in a manifest contempt of the church's discipline and censures. Under which denomination all heretics and schismatics, that were actually denounced such by the censures of the church, were included. For the office of burial belonged only to the *fideles*, or communicants, that is, such as died either in the full communion of the church, or else, if they were excommunicate, were yet in a disposition to communicate by accepting and submitting to the rules of penance and discipline in the church. In which case their desire of communion was accepted, as the catechumens' desire of baptism, and they were treated as communicants, though they happened to die without a formal reconciliation in the church: the church in this case relaxed their censures, and received them into communion, and treated them as other communicants after death; of which I have given[107] a more ample account in speaking of the discipline of the church in a former Book.

CHAPTER IV.

AN ACCOUNT OF THE LAWS MADE TO SECURE THE BODIES AND GRAVES OF THE DEAD FROM THE VIOLENCE OF ROBBERS AND SACRILEGIOUS INVADERS.

Sect. 1. The old Roman laws very severe against robbers of graves, and all abuses and injuries done to the bodies of the dead.

Though it does not strictly belong to the business of funeral rites to speak any thing of robbers of graves, and the laws made against them; yet because these have some relation to the dead, and some things also remarkable in them, I will add something upon this subject for the close of this whole discourse. I have hinted before,[1] that the old Roman laws were very severe against all injuries and abuses offered either to the bodies or the monuments and sepulchres of the dead. They were reckoned sacred things; and therefore if any violated a sepulchre, so as to draw out the body or the bones, it was a capital crime, to be punished[2] with death in persons of a meaner rank; and others of a higher fortune were either to be transported into some island, or otherwise banished, or condemned to the mines, as appears from the answer of Paulus in the Pandects, and those laws of the Christian emperors,[3] which speak of the old laws punishing this crime with death. They made a distinction between the bodies and the sepulchres: he that violated the sepulchre only, but offered no injury to the body, was not punishable with death, but either confiscation, or infamy, or banishment, or digging in the mines: but if he offered any indignity to the body itself, his crime was capital, and his blood was required to expiate the offence; unless the dignity of his condition happened to be such as the law allowed to secure his life, and change the punishment of death into a penalty of some other nature.

Sect. 2. This severity continued, for the most part, under the Christian emperors, with some additional circumstances.

This law continued all the time of Constantine; but Constans his son made a little alteration in the penalty, which lasted not very long, for it was presently after revoked by Constantius, and the old penalty revived again. Constans, in a first law about demolishing sepulchres, (making no mention of violating the bodies themselves,) left the matter pretty much as he found it; ordering[4] all such as were concerned in demolishing of sepulchres, to be sent to the mines, if they were of a servile condition, and did it without the knowledge of their lord: but if they did it barely at his instance, by his authority and command, they were only to be exiled by a common banishment: and if the lord was found to have received any thing into his own house or farm, that was taken from a sepulchre, his house or farm, or whatever edifice it was, was to be confiscated to the public. But in a second law[5] he took away the punishment of death,

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[105] Conc. Aurelian. 2. can. 15. [106] Optat. lib. 3. p. 68.

[107] Book XIX. chap. 2. sect. 11.

[1] Chap. 2. sect. 2.

[2] Digest. lib. 47. Tit. 12. de Sepulchro Violato, Leg. 11. Rei sepulchrorum violatorum, si corpora ipsa extraxerint, vel ossa eruerint, humilioris quidem fortunæ summo supplicio afficiuntur: honestiores in insulam deportantur: alii autem relegantur, aut in metallum damnantur.

[3] Cod. Theod. lib. 9. Tit. 17. de Sepulchr. Violatis, Leg. 2 et 3. Et Valentin. Novel. 5. de Sepulchris.

[4] Cod. Theod. ibid. Leg. 1. Si quis in demoliendis sepulchris fuerit adprehensus, si id sine Domini conscientia faciat, metallo adjudicetur: si vero Domini auctoritate vel jussione urgeatur, relegatione plectatur, &c.

[5] Ibid. Leg. 2. Factum solitum sanguine vindicari, multæ inflictione corrigimus, &c.

which the old laws appointed, and instead of it laid a mulct or fine of twenty pounds of gold upon all that should be found guilty in any thing of this nature. Constantius did not approve of this reduction or abatement of the ancient penalty, and therefore he revoked the indulgence of his brother Constans, and by two new laws of his own brought the ancient punishment of death into force again, with some additional punishment by way of fine also. His first law[6] runs in these terms: We understand there are some, who out of a greedy desire of gain pull down and demolish sepulchres, transferring the materials of the building to their own houses: now, such, when their wickedness is detected, shall be subject to the punishment appointed by the ancient laws. In his other law, he first imposes a penalty of ten pounds of gold upon any one that steals from a monument either stones, or marble, or pillars, or any other material, whether to use in any building, or to sell them: and then he subjoins,[7] That this punishment is intended as an addition over and above to the ancient severity: for he would not derogate any thing from that punishment which was before imposed upon those, who offered violence to the graves of the dead; because, as he says in the beginning of his law, it was a double crime, equally injurious both to the dead and the living; to the dead, by destroying and spoiling their habitations; and to the living, by polluting them in the use of such materials in building. And he adds in the close, that his intention was to include within these penalties, all such as meddled with the bodies and relics of the dead, as well as those who defaced their sepulchres. There is also a law of Julian's in the Theodosian Code, wherein he first complains of the audaciousness of men in demolishing sepulchres, and stealing away the ornaments of them; and then orders[8] such to be prosecuted with the severity of the former laws made against them. Finally, Theodosius junior and Valentinian III. made a most severe law against all such invaders, of what quality soever, appointing their punishment according to the dignity of the persons concerned. If a slave or a countryman[9] was apprehended in this crime, he was immediately to be put to the rack; and if he confessed that it was his own act, and his master was not concerned in it, he was to be put to death. If his master was concerned in it, he was punished in like manner. If a freeman was found guilty, who was but a plebeian and had no estate, he was also to suffer death. If he had an estate, or was in any dignity, he was to be amerced in half his estate, and for ever after to be made infamous in law. If a clergyman was found guilty of this crime, whether bishop or inferior, he was immediately to be degraded, and lose the name of a clerk, and to be sent into banishment without redemption. And all judges are strictly charged to see this law duly put in execution. *Pax sepultis*, Peace be to the dead.

Sect. 3. No indulgence allowed to robbers of graves by the emperors at the Easter festival.

To give these laws the greater force and terror, it was usual with the emperors, when they granted their indulgence to several criminals, according to custom, at the Easter festival, still to except robbers of graves, with other great criminals whom they thought unworthy of any such pardon or indulgence; such as men guilty of sacrilege, incest, ravishment, adultery, sorcery, necromancy, counterfeiting or adulterating the public coin, together with murder and treason: as we find the exceptions made in several laws of Valentinian, and Gratian, and Theodosius senior, and Theodosius junior, and Valentinian III., put together in one title in the Theodosian Code,[10] beside this famous law of Valentinian now recited.

Sect. 4. For this crime a woman was allowed by the laws to give a bill of divorce to her husband.

And it is remarkable also, that Constantine, who allowed a woman liberty to put away her husband for three crimes, made this one of the three; if he was a murderer, or a sorcerer, or a robber of graves.[11] And Theodosius junior also puts the same crime among the legal causes of divorce both in men and women in one of his laws,[12] which Justinian not only put into his new Code, but confirmed by several laws and novels of his own composing, as has been already showed more at large in handling the matter of divorces in the last Book.[13] Neither were the ecclesiastical laws wanting in the punishment of this crime, which was reputed the most barbarous and inhuman sort of robbery of any other; concerning which I have spoken fully under the head of ecclesiastical discipline,[14] and therefore need say no more of it in this place.

Sect. 5. One reason tempting men to commit this crime, was the rich adorning of the heathen sepulchres.

Now, if it be inquired, what made men professing Christianity to be so much addicted to this vice, that there should be need of so many laws against it? I answer, there were three motives or

[6] Cod. Theod. lib. 9. Tit. 17. de Sepulchr. Violatis, Leg. 3. Quosdam comperimus, lucri nimium cupidos, sepulchra subvertere, et substantiam fabricandi ad proprias ædes transferre: hi detecto scelere animadversionem priscis legibus definitam subire debebunt.

[7] Ibid. Leg. 4. Quæ pœna priscæ severitati accedit: nihil enim derogatum est illi supplicio, quod sepulchra violantibus videtur impositum. Huic autem pœnæ subjacebunt et qui corpora sepulta aut reliquias contrectaverint.

[8] Ibid. Leg. 5. Hoc fieri prohibemus, pœna manium vindice cohibentes.

[9] Valentin. Novel. 5. de Sepulchris, ad calcem Cod. Theodos. Servos colonosve in hoc facinore deprehensos, duci protinus ad tormenta convenit. Si de sua tantum fuerint temeritate confessi, luant commissa sanguine suo, &c.

[10] Cod. Theod. lib. 9. Tit. 38. de Indulgentiis Criminum, Leg. 3, 4, 6, 7, 8.

[11] Ibid. lib. 3. Tit. 16. de Repudiis, Leg. 1.

[12] Cod. Just. lib. 5. Tit. 17. de Repudiis, Leg. 8.

[13] Book XXII. ch. 5. sect. 8. [14] Book XVI. ch. 6. sect. 24.

temptations to this kind of robbery; two of which had something plausible in them; but the first had nothing but downright covetousness in it, arising from the rich ornaments and splendid furniture of many of the heathen monuments built over their graves; which some wicked Christians, as well as others, looking upon not so much with an envious as a covetous and rapacious eye, took occasion either publicly or privately to make a spoil and plunder of them. This is evident from the complaints made in the several laws, of such robbers carrying off marble stones, and pillars, and other rich furniture, either to adorn their own houses therewith, or make a gain of them by selling to others. Some were so base and sordid, as to pull down monuments to make lime with, or sell them to others for that purpose, *Coquendæ calcis gratia*, as one of the laws words it.

Sect. 6. A more plausible pretence was taken up from the laws, that ordered all heathen altars and images to be demolished.

But this rapacious humour was something covered with a plausible pretence of piety and zeal for the Christian religion. For Constantine, anno 333, had ordered all altars and images, as well as temples, to be destroyed; and the heathen monuments and sepulchres were often adorned with such images; which gave occasion, beyond the meaning of the law, to bad men to demolish the heathen monuments, under the notion of destroying images, and rooting out idolatry, and all the remains and footsteps of it. Had they kept within the intent of the law, only destroying images and altars, and not the graves themselves, there had been no just reason of complaint; but when under this pretence they destroyed not only the images, but the whole edifice of the monuments, erasing the titles, and disturbing the bodies or ashes of the dead, and carrying off marble stones and pillars, and whatever was ornamental or valuable about them; this was thought intolerable by the succeeding emperors, and therefore so many good laws were made against the hypocritical rapaciousness of such illegal pretenders to reformation. The law was good, had they used it lawfully; but they, through covetousness and rapine, went beyond their bounds; and therefore Constans, the son of Constantine, anno 349, ordered all these creatures to be called to an account, who had so abused the law of his father; and under pretence of destroying images, had the marble ornaments[15] and pillars taken away, and the stones thrown down to burn into lime: whosoever of this sort could be discovered, from the time that Dalmatius and Zenophilus were consuls, that is, from the year 333, when Constantine first published his edict, which they fraudulently took the advantage of; they should forfeit to the emperor's coffer a pound of gold for every monument so defaced. And whoever for the future was found guilty of such rapine, should be amerced twenty pounds of gold to the use of the exchequer likewise. So that this pretence of demolishing heathen monuments under the notion of destroying idolatry, was a mere hypocritical act of covetousness varnished over with a face of religion.

Sect. 7. A third reason was, to get the relics of martyrs to sell and make gain of them.

There was also a third temptation of the same nature, which seems to have prevailed even among some of the more senseless and covetous clergy; which was, the gainful trade of getting and selling the relics of martyrs. This made them, for the sake of filthy lucre, rob graves, and steal away the bones of martyrs, or any others, that they might have a sufficient stock of relics (true or false, it mattered not which) to feed the foolish superstition of such as were willing to let them make a gain of them. This kind of superstition, calculated to encourage covetousness and religious cheats, was stirring among some in the church betimes. For, though the church for above five hundred years made no other use of the relics of martyrs, but only decently to inter them; yet some superstitious persons privately made another use of them. Optatus says, Lucilla, the rich foundress, as one may call her, of the Donatist schism, was used, before she received the eucharist, to kiss the[16] mouth of a certain martyr, which, whether true or false, she had procured, and kept by her for that purpose. For this she was gravely reproved by Cecilian, then archdeacon of Carthage; which she so resented and remembered, that when he came to be bishop, she, being a rich, potent, factious woman, by her interest procured some others to be set up against him: which was the first beginning of the schism of the Donatists, founded upon the pride of an imperious woman, who was incorrigibly bent upon the superstitious veneration of the relic of a martyr. St. Austin likewise tells us, there were in his time[17] a great many wandering, idle monks, hypocritical men, who, by the instigation of Satan, went about the world selling relics of martyrs, which it was very doubtful whether they were the relics of true

[15] Cod. Theod. lib. 9. Tit. 17. de Sepulchris, Leg. 2. Universi itaque, qui de monumentis columnas vel marmora abstulerint, vel coquendæ calcis gratia lapides dejecerint, ex consulatu scilicet Dalmatii et Zenophili, singulas libras auri per singula sepulchra fisci rationibus inferant, &c.

[16] Optat. lib. 1. p. 40. Cum correptionem archidiaconi Cæciliani ferre non posset, quæ ante spiritalem cibum et potum, os nescio cujus martyris, si tamen martyris, libare dicebatur, &c.

[17] Aug. de Opere Monachorum, cap. 28. Callidissimus hostis tam multos hypocritas sub habitu monachorum usquequaque dispersit, circumeuntes provincias, nusquam missos, nusquam fixos, nusquam stantes, nusquam sedentes: alii membra martyrum, si tamen martyrum, venditant, alii fimbrias et phylacteria sua magnificant, &c.

martyrs or not. However, they made a gainful trade of it, and no doubt were tempted upon that account to rob the graves of the martyrs, or some others, which would as well serve their purpose. In opposition to this sort of men, Theodosius the Great[18] made an express law, that no one should remove any dead body that was buried, from one place to another; that no one should sell or buy the relics of martyrs; but if any one was minded to build over the grave where a martyr was buried a church, to be called a *martyrium*, in respect to him, he should have liberty to do it. This was then the honour that was paid to martyrs, to let them lie quietly in their graves, and build churches over them, which were dedicated to God and his service, not to any religious worship of the martyr; only in honour to him the church might be called a *martyrium*, after his name: but beyond this no honour was to be given to him under any pretence of veneration; and to take up his body and make merchandise of his bones, was so far from veneration, that it was reckoned a disturbing of his ashes and a robbing of graves, which was mere covetousness hypocritically covered under the name of religion. I question not but the law of Valentinian III., which speaks of bishops, and others of the clergy, who were concerned in robbing of graves, was levelled against this sort of men, who digged up the bones of martyrs, and sold them as holy relics, to gratify their own lucre at the expense of superstitious people, who thought it an honour to a martyr to keep his bones above-ground; whereas all the laws of church and state then reckoned it a sacrilegious robbing of graves, and disturbance of those holy relics, which ought to have lain quiet and undisturbed to the resurrection.

Sect. 8. A peculiar custom in Egypt to keep the bodies embalmed and unburied in their houses above-ground.

There was a peculiar custom in Egypt, which might have given great encouragement to this wicked practice, though we do not find men made that ill use of it; however, it was disapproved upon another account. For the custom of Egypt was so to embalm the dead, as to keep them either in their houses, or in monuments and mausoleums above-ground: the body so ordered was, by the ancient Greek writers, called τάριχος; the Egyptians called it *gabbara;* and modern writers, *mummia*, as Gataker[19] observes, from the Arabic word, *mum*, which denotes wax, used chiefly in this embalming. Most ancient writers speak of this Egyptian way of embalming; and Tully more particularly takes notice[20] of their keeping the bodies so embalmed in their own houses without any other burial. This custom, it seems, was also retained among the Christians of Egypt, many of whom (it is certain not all) were wont not to bury their dead under-ground, but when they had embalmed them, to keep them still in their houses laid in beds, out of reverence and honour for their persons. Athanasius says St. Antony,[21] the famous Egyptian hermit, was very much offended at this custom, and therefore he was used with a great deal of freedom to tell the bishops of Egypt, that they ought to teach the people better, and endeavour to break the custom. For the bodies of the patriarchs and prophets were kept in their sepulchres unto this day; and the body of our Lord was laid in a grave to the time of his resurrection. By which arguments he showed, that it was a sin for any man not to bury the bodies of his dead under the earth, although they were holy; for what can be greater or more holy than the body of the Lord? Upon this many people changed their custom, and buried the bodies of the dead under-ground, giving God thanks that they were better instructed. It is added a little after, that St. Antony gave orders that his own body should so be buried, which was accordingly done in a place that no one knew of beside the two persons that took care of his funeral. But it was not easy to break an inveterate custom, and therefore, though many left off this way, yet many continued it still: for St. Austin speaks of it[22] as a thing in use among the Egyptians in his time, at least to dry the bodies of the dead by their curious way of embalming, which made them almost as hard as brass, and kept them from corruption. These in their language they called by a peculiar name, *gabbaræ*, which, I think, we may English, Egyptian mummies. He does not expressly say they still kept them above-ground, but he seems to intimate as much, in saying, they intended by their embalming to harden them like brass, and preserve them from corruption.

Sect. 9. No religious worship allowed to be given to relics in the ancient church till after the time of St. Austin.

We may hence draw several arguments, as Mr. Daillé has done in a very curious and learned book,[23] to prove, that there was no religious worship given to the relics of saints and martyrs for several of the first ages in the church. For their great care then was to bury them under-ground (and not set them upon the altar[24] as in after ages): this was the greatest respect they

[18] Cod. Theod. lib. 9. Tit. 7. de Sepulchris Violatis, Leg. 7. Humatum corpus nemo ad alium locum transferat; nemo martyrem distrahat, nemo mercetur: habeant vero in potestate, si quolibet in loco sanctorum aliquis est conditus, pro ejus veneratione, quod martyrium vocandum sit, addant quod voluerint fabricarum.

[19] Gataker, Not. in Marc. Antonin. lib. 4. p. 175.

[20] Cicero, Tuscul. Quæst. lib. 1. n. 108. Condiunt Ægyptii mortuos, et eos domi servant.

[21] Athan. Vit. Anton. t. 2. p. 502.

[22] Aug. Serm. 120. de Diversis, cap. 12. Ægyptii diligenter curant cadavera mortuorum; morem enim habent siccare corpora et quasi ænea reddere: gabbaras ea vocant.

[23] Dallæus de Objecto Cultus Religiosi, lib. 4.

[24] Mabill. de Liturg. Gallic. lib. 1. cap. 9. n. 4. owns there were no relics set upon the altar, even to the tenth century.

thought they could pay to them. St. Antony thought it was a great disrespect to keep them above-ground unburied. The laws made it sacrilege to rob a grave for the sake of them, and absolutely forbade any one to buy or sell the relics of a martyr. Lucilla was reproved for paying an undue respect to them. St. Austin inveighs against the monks that went about the world selling the relics of martyrs; and he condemns those who worshipped graves and pictures under pretence of honouring[25] the dead, whom he puts into the same class with those who made themselves drunk at the monuments of the martyrs, and placed their intemperance to the account of religion: All such, he says, were a scandal to the church, whom she condemned as ignorant and superstitious men, and daily laboured to correct them as wicked children. There is one instance in the third century of some well-meaning Christians, who, after the martyrs Fructuosus and Eulogius were burnt, gathered up their remains, and would have kept them by them only out of respect and love, not for any religious worship: but Fructuosus after his passion appeared to them,[26] and admonished them to restore immediately whatever part of the ashes any one out of love had taken to himself, and that, putting them all together, they should bury them in one common grave. The great care of the church and of the martyrs themselves in those days, was not to have their relics kept above-ground for worship, but to be decently buried under the earth. And therefore, when the heathen judge asked Eulogius the deacon, who suffered with Fructuosus his bishop, whether he would not worship Fructuosus as a martyr after death? he plainly replied, I do not worship Fructuosus,[27] but Him only whom Fructuosus worships. The like answer was given by the brethren of the church of Smyrna to the suggestion of the Jews, when, at the martyrdom of Polycarp, the Jews desired the heathen judge, That he would not permit the Christians to carry off the body of Polycarp, lest they should leave their crucified Master, and begin to worship this man in his stead: This suggestion, says the answer, proceeded purely from ignorance,[28] and a false presumption, that we could either forsake Christ, or worship any other. For we worship Christ, as being the Son of God; but the martyrs, as the disciples and followers of the Lord, we love with a due affection, for their great love of their own King and Master; with whom we desire to be partners and fellow disciples. They add, That when his body was burnt, they gathered up the bones, more precious and valuable than any gold or precious stones, and buried them in a convenient place, where by God's permission they intended to meet and celebrate his birthday with joy and gladness, as well for the memorial of those who have bravely suffered and fought as champions before, as for the exercise and preparation of those that come after. I will only add one testimony more out of St. Austin, where he makes some pious reflections upon the passions of the foresaid Fructuosus and Eulogius. He mentions the same answer of Eulogius to the judge, that the Acts speak of: when the judge asked him, whether he would worship Fructuosus? he replied, I do not worship Fructuosus; but I worship Him whom Fructuosus also worships. Upon which St. Austin makes this remark, That hereby we are taught[29] to honour the martyrs, but not to worship them, but only to worship the God whom the martyrs worship. For we ought not to be such as the pagans are, whom we lament upon that very account, because they worship dead men. For all those whose names you hear, to whom temples are built, were men, and all or most of them kings among men: as you have heard of Jupiter, Hercules, Neptune, Pluto, Mercury, Bacchus, and the rest; whom not only the fictions of the poets, but the histories of all nations, declare and evidence to have been men, who, having obliged the world with some temporal kindnesses, were after death worshipped by vain men, who called and esteemed them gods, and built temples to them as gods, and prayed to them as gods, and erected altars to them as gods, and ordained priests for them as gods, and offered sacrifices to them as gods: whereas the true God alone ought to have temples, and sacrifices ought to be offered to the true God alone. As for the martyrs, he says, they did neither take them for gods, nor worship them as gods. We give them no temples, nor altars, nor sacrifices; neither do the priests offer to them. God forbid. These things are only done to God, and offered to him from whom alone we obtain all good things, at the memorials of the martyrs. Therefore, if any one asks thee, whether thou worship Peter? answer, as Eulogius did concerning Fructuosus, I do not worship Peter, but I worship Him whom Peter also worships. Then he brings in the example of Paul and Barnabas refusing to be worshipped by the Lycaonians, and the

[25] Aug. de Moribus Ecclesiæ Cathol. cap. 34. Novi multos esse sepulchrorum et picturarum adoratores: novi multos esse, qui luxuriosissime super mortuos bibant, &c.

[26] Acta Fructuosi, ap. Baron. an. 262. n. 68. Fructuosum post passionem apparuisse fratribus, et monuisse, ut quod unusquisque per caritatem de cineribus usurpaverat, restituerent sine mora, unoque in loco simul condendos curarent

[27] Ibid. n. 62. Ego Fructuosum non colo, sed ipsum colo quem et Fructuosus.

[28] Acta Polycarpi, ap. Euseb. lib. 4. cap. 15.

[29] Aug. Serm. 101. de Diversis, p. 571. Quo modo nos admonuit, ut martyres honoremus, et cum martyribus Deum colamus. Neque enim tales esse debemus, quales paganos dolemus. Et quidem illi mortuos homines colunt, &c.

example of the angel refusing to be worshipped by St. John, and bidding him to worship God alone. After which he adds these remarkable words in the close, both against those who kept feasts at the graves of the martyrs, and those who worshipped them: The martyrs hate your flagons of wine, the martyrs hate your frying-pans, the martyrs hate your drunken revellings at their graves: I speak not these things to injure or reproach any who are not such; let them who do such things, take it to themselves: the martyrs,[30] I say, hate these things, and love not those that do them; but they much more hate and abhor any worship that is offered to them. These are plain evidences, that no religious worship was given to the martyrs, much less to their relics, by the church in the time of St. Austin; but some ignorant and superstitious persons were carried away with a blind zeal, to reckon those things to be an honour to the martyrs, which were a real reproach both to themselves and the church, and displeasing both to God and the martyrs; to whom the greatest honour they could do, was to lay their relics quietly in the grave, and meet at their tombs to praise God for their glorious achievements and victories over the terrors of death, and to excite themselves to piety and constancy in the faith by the provocation of their examples. Other honours to the dead the ancient church knew none; at least approved or encouraged none; but laboured to correct and repress them wherever they appeared, as resembling too near, and savouring too much of the follies and superstitions of the Gentiles, whose gods were only dead men, deified by their own consecration and worship, without any real foundation in nature; for by nature they were no gods: and this is the great irrefragable argument the ancients always made use of against them; of which I have said enough both here and elsewhere,[31] and so I put an end to this discourse concerning the manner of treating the dead in the ancient church.

I have now gone through the whole state of the primitive church, and given an account of the several parts of her public worship and offices of Divine service; which in a great measure answers the design I at first proposed to myself, when I begun this work. Another Book more of miscellaneous rites might be added; but having laboured in this work for twenty years, with frequent returns of bodily infirmities, which make hard study now less agreeable to a weakly constitution; and the things themselves being of no great moment; I rather choose to give the reader a complete and finished work, with an index to the whole, than by grasping at too much, to be forced to leave it imperfect, neither to my own nor the world's satisfaction. I bless God for enabling me to go through the work with comfort and pleasure; I thank the world for their patience and approbation; and I thank my particular benefactors more, as I think I am obliged to do, for their suitable encouragement to a work of such a nature: I blame none for want of encouragement, nor any that dislike the whole, or any part of it; they may have reasons, perhaps, which I know not of, and shall never inquire into. I hope, however, that it may prove a useful work in some measure both to the present and future generations, as a learned prelate was once pleased to say to me, by way of approbation and encouragement, *Seris arbores alteri sæculo profuturas:* if so, I shall have my end: let the church receive benefit, and God the glory of all.

[30] Aug. Serm. 101. de Diversis, p. 572. Oderunt martyres lagenas vestras, oderunt martyres sartagines vestras, oderunt martyres ebrietates vestras: sine injuria eorum dico qui tales non sunt: illi ad se referant qui talia faciunt: oderunt ista martyres, non amant talia facientes. Sed multo plus oderunt, si colantur.

[31] Book XIII. chap. 3.

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